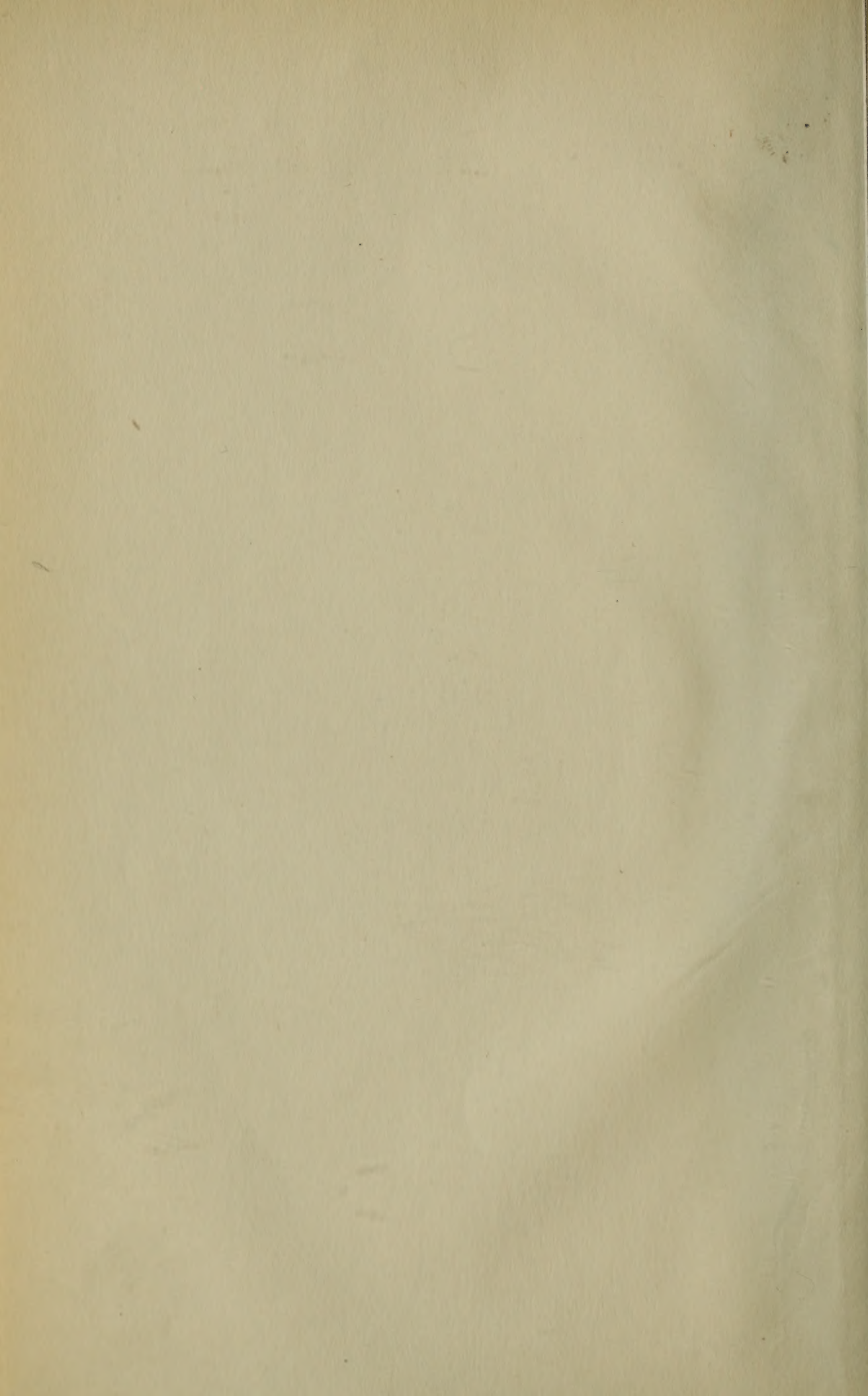




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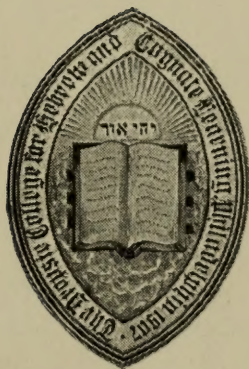


THE
JEWISH QUARTERLY REVIEW

NEW SERIES

EDITED BY
CYRUS ADLER

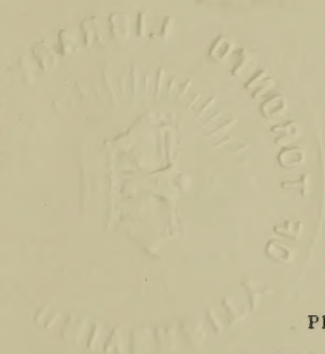
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THE TARGUM TO CANTICLES ACCORDING TO
SIX YEMEN MSS. COMPARED WITH THE
'TEXTUS RECEPTUS' (ED. DE LAGARDE)

BY RAPHAEL HAI MELAMED, New York.

CHAPTER II

AB

82. AS stated above, the Yemen MSS. are not uniform in their texts. While forming a group in themselves, distinct from **L**, they nevertheless diverge one from the other in text, in orthography, and matters of morphology and syntax. Each of the manuscripts has features, distinctive to itself alone, as the following analysis will endeavour to show.

83. The most reliable and best preserved of these texts are **AB**. They contain the least number of textual and scribal errors, and seem to preserve the more original Yemen readings. **A** being the better written of the two, was used as the basis of this edition.

TEXTUAL VARIANTS

A. INDEPENDENT READINGS.

84. The following independent readings are to be noted in **AB**: 1. 1 שִׁירְתָּא חֲלִיתִיתָא שִׁירְתָּא דְּבִירָא אָמַר מֹשֶׁה וּבְנֵי יִשְׂרָאֵל ; 1. 1 סְקִי בִירָא שְׂבָחוּ לָהּ ; 1. 9 מִיָּא ; 2. 13 וּמִן הָאִי ; 2. 14 וּמַחְזִייד ; 2. 17, 3. 6, 4. 6 פּוֹלְחָנָא ;

ומלכא דהוה 3. 4; בחירן מן כסף 10. 3; לכנשתא דבית ישראל 7. 3; בזמן 4. 6; דהוה חתים 12. 4; דהוה עסיק ביה 4. 4; מדבר ברישיהום [ד] בדיתא 6. 8; דצבית למעבר.

B. FULLER READINGS.

85. There are a few instances in AB, none of which, however, are of any material significance: 1. 1 *bis* [ביה]; *ibid.* 2. 4 [ועושקא];¹²³ 4. 2 [רבהון דנבייא]; 4. 14 קני [עם כל];¹²⁴ 5. 7 אורחא [על].

There are three instances where **R** are fuller than AB: 1. 1 [הוא] תקוף 16. 5; וברק [בר אבנועם] 1. 1; שלמה [נביא] 1. 1.

C. ORDER.

86. Several instances of transposition of words occur in AB: 5. 10 בארבע ועשרין; 6. 3 רחימי ורחיבי;¹²⁵ 7. 6 דקליף.¹²⁶ ברטיא ית חוטריא.

In A alone there is one instance of inverted order: 2. 15 ההוא דרא.

GRAMMATICAL VARIANTS

A. THE ORTHOGRAPHY OF AB.

87. AB have a strong preference for ס against ש; thus we find עסר, עסרת, עסמלא, but דברמשק.

Likewise they express consonantal ו by וו, thus: זכוותא, ומרות, כורדא in ו in טעוות, ח(י)וור.

88. AB always write the Tetragrammaton thus: יהוה, and abbreviate not infrequently קדם, ישראל, מערים.

¹²³ L מ' נביא.

¹²⁴ AB were probably influenced by the recurrence of the phrase later in the verse.

¹²⁵ L writes רחימי ורחימי.

¹²⁶ Cf. Onk. Gen. 30. 37, 38.

B. PHONETICS.

89. While AB read' in 1. 4 נִנְךְ and in 1. 12 נִרְא, R change *ā* to *ī*, reading נִנְךָ, נִרְאָ.

Pataḥ is lengthened to Kames̄ in the pass. part. in 1. 8 where A reads בְּעִיָּא, R בְּעִיָּאָ.

In 1. 2 A writes דְּחָבִיב, R דְּחָבִיבִּי; 2. 11 A הָלִיף, R הָלִיףִּי; AB always write בָּנִין, cf. 1. 14, 2. 6, 2. 8, 3. 8, &c.

In 1. 15 AB write עֵסִיקָא, R עֵסִיקָאָ; 7. 9 A writes אִי 'if', R אִיָּ.

In ל"י verbs AB retain final *i*, which R change to *e*; cf. 3. 4, 5. 1 where AB write וּאִשְׁרִי, R וּאִשְׁרִיָּ. But 2. 3 A writes רֵאֶתְנִלִּי, while R retain final *i*, רֵאֶתְנִילִי.

Shewa and pataḥ change places in the beginning of a word: 8. 9 AB וְאַפִּילוֹ, R וְאַפִּילוָֹ; cf. 2. 15, 8. 4.

In the group of nouns מְקַדְשָׁא, מְדַבְרָא, מְדַבְחָא, מְשַׁכְנָא, and מְדַרְשָׁא AB generally use the pataḥ over the prefix, except in the word מְדַרְשָׁא, where a hireḵ is usually found.

AB usually write מְשׁוּיָהָא with a hireḵ over the ר; cf. 1. 1, 1. 9, 2. 7, 7. 1, &c.

C. MORPHOLOGY.

1. *Verbs.*

90. Peal. The impv. form וְסַעֲדוּ occurs in 2. 5, A, by the side of וְסַעֲדוּ of R.

Pael. For the Pael pass. pt. in 2. 3, AB read וּמִשְׁבָּח. R וּמִשְׁבָּחָ.

Aphel. The Aphel pf. In 2. 7, 3. 5, 5. 8, AB read אֲשַׁבְּעִית, while R read אֲשַׁבְּעִיתִי. In 2. 15, 8. 4, AB read for the inf. לְאַגְהָא, while R have לְאַגְהָאָ.

Ithpaal. In 1. 14 AB have אֲתִי[קְרוּ], while R have אֲתִי[קְרוּ].

Ithpe. and Ithpa. In 6. 12 AB writes Ithpa. אֶתְּנִלִּי, R Ithpe. אֶתְּנִלִּי.

2. Nouns.

91. AB have a strong preference for forms of עֹבֵד, 'work', with šurek; cf. 1. 6, 1. 12, 1. 15, 2. 10, &c., but also write עֹבְדִיהֶן; cf. 2. 16.

3. Prepositions.

92. With a single exception, AB always write קָדָם, with ḥatet ḵameš. In 1. 1 B writes קָדָם. In 4. 13, AB write קָדָם, while R have קָדָם[א].

4. Adverbs.

93. AB always write בְּגִין 'in order that', with hireḵ; cf. 1. 14, 2. 6, 2. 8, 3. 8, &c. AB prefer to write the adv. בְּזֶמֶן with pataḥ; cf. 1. 1, 1. 15, 2. 9, 4. 7, &c.; but occasionally they write בְּזֶמֶן with ḵameš; cf. 1. 1, 2. 3, 2. 7. AB prefer the adv. דְּהֶכֶן with ḵameš, which is the correct form, but sometimes write it דְּהֶכֶן with pataḥ; cf. 1. 1, where both forms occur. In 1. 14 B writes בְּכִין, while R have בְּכִין.

5. Conjunctions.

94. AB generally write conj. ^(ה)הֵי כִּמְאֵ 'as'; cf. 2. 3, 2. 6, 2. 7, 4. 2, &c., but הֵא כִּמְאֵ is also found; cf. 1. 10, 3. 8.

AB generally prefer כִּד, cf. 1. 5, 2. 7, 2. 14, 3. 5, 3. 6, &c., but the unusual form כִּדּוּ is also found, cf. 2. 7, 5. 5.

D. SYNTAX. Verbs.

95. Peal. In 4. 6 A uses Pe. pt. const. עֲרָקִי, while R have the abs. עֲרָקִין.

Pe. and Pa. In 1. 4 AB use Pa. pf. נִצְרְנָא, while R have Pe. נִצְרְנָא. In 5. 2 AB write Pe. impv. הֲדָרִי, while R have Pa. הֲדָרִי.

Peal and Aph. In 8. 4, 8. 9 AB write Aph. ידָּבֵר, while R writes Peal ידְּבֵר, and in 8. 14 AB write Aph. וְהִשְׁרִי, R Pe. (L וְהִשְׁרִי).

Pael. In 4. 8 AB have Pa. pt. c. מִסְקִי, R abs. מְסַקִּין.

Ithpe. In 8. 9 A writes Ithpe. pt. det. מִתְעַתְרָתָא, while R writes the indetr. מִתְעַתְרָא.

ERRORS

A. TEXTUAL. *Omissions.*

96. The following omissions occur in AB: 3. 2 דאסתלקת [מננא]; 4. 2 דכין [דהוה]; 5. 1 [דישראל] כנשתא; 5. 10 דעמף [ביממא]; 7. 3 [רבא] מי נהרא; 8. 14 [זמן] עד.

In A alone the following omissions are to be noted: 4. 10 מן שבעין [יתיר]; 7. 3 [מפרתיה] מתפרנים.

There are two passages in which B alone omits words contained in R: 1. 4 [בליליא] דאישתא; 3. 8 [לחרבא] דמתילן.

In 8. 11 AB contain an omission due most probably to homoioteleuton: אוחיב יתה [בירושלם ואסר יתה].

B. GRAMMATICAL.

1. *Suffixes.*

97. In 1. 11 כורסי and 4. 1 קורבנא A alone is incorrect in the omission of the suffixes.

2. *Gender.*

98. AB only have the correct gender in the following passages: 5. 12 ומסתכלן; 6. 4 יאיא; 7. 8 מתפרשן; 2. 14 תקנין.

In 4. 8 ליד (twice) and 5. 12 דקימן, A alone is correct.

AB have the incorrect forms in the following instances:

1. 1 והרין; 2. 8 דמתילן.

A alone is incorrect in 3. 10 ושפירן; 5. 2 והוה; 8. 8 וקלילין; 8. 11 עימה.

B alone is incorrect in 7. 3 יתה.

3. *Number.*

99. In 8. 3 למויקיא AB alone are correct. In 7. 6 לרישי and 8. 1 עמא ארעא, AB alone are incorrect.

4. *Prepositions.*

100. In 8. 11 ופלינ עליה AB are incorrect.

In 3. 8 לחרבא A alone errs.

CHAPTER III

C

101. The text of C presents a number of independent readings and forms. It has many features peculiar to itself which mark it apart from the rest of the manuscripts. But of all the texts, it is most prone to textual errors and omissions. Especially is it careless in omitting words and phrases; of such omissions there is a large number.

TEXTUAL VARIANTS

A. INDEPENDENT READINGS.

102. The independent readings of C are the following:

1. 1 ובני; 1. 2 מתמליל עמהון; 1. 4 אוריתא; 1. 13 קרבנא; 2. 6 קומי לך איזיל מן שעבוד מצראי כנשתא דישראל;¹²⁷ ולמתלי;¹²⁷ 2. 10 רחימתי מלקדמין ושפירת עובדין איזיל ופאקי לך משעבוד מצראי;¹²⁸ אלפין בפתנמי 3. 8; צפרא;^{ibid.} בצדקיה 3. 6;¹²⁹ בסתיר 2. 14;¹³⁰ אוריתא;¹³⁰ 3. 9 וחפא יתחון דהבא;¹³¹ 4. 1 צדיקין מבנוהי דיעקב;¹³²

¹²⁷ The roots חלי and דלי are closely related; either word might be used here.

¹²⁸ The reading of C seems superfluous.

¹²⁹ Cf. Heb. בַּסֶּתֶר.

¹³⁰ L writes בפתנמי אוריתא; C is good; it is an interesting variant of L.

¹³¹ C refers to the various woods; R to the temple.

¹³² This may be an error of C.

4. 6. באסתלקות יקריה ממקדשיך 1. 6. אחיב יתהון 3. 5. ; ובומן 6. 4. ;
בִּקְלֵא 5. 8. ; ונחוי 13. 7. ¹³³ ; ותכלא 6. 6. ; אוריתא

B. FULLER READINGS.

103. There are a number of fuller readings in C:
 1. 1 [מי]מא; 1. 9 [ומשריתיה] פרעה; 1. 14 [דמושה] ידוי; 2. 2
 בשבזוין 5. 14 [יצחק וישראל] דפלח [ו] 3. 6 [בין] פלכי
 בשושן [הבירא] 7. 6;¹³⁴ [ובחיקין]

C. ORDER.

104. In some cases a different order is found in the text of C: 2. 8 למשה על טורא דחורב; 2. 9 על תמכה ועלשין; 2. 17 קימא דאדנר; 4. 14 מיני שבח; 5. 7 צדקיה דמלכא; 7. 13 וּלְבִי כְּנִישְׁתָּא לְבִי מְדֻרְשָׁא.

GRAMMATICAL VARIANTS

A. THE ORTHOGRAPHY OF C.

105. Like AB, C prefers the use of ם to that of ש, and, but for the word שני which occurs twice, uses only the ם.

C prefers final א to ה, writing invariably מא and במא, but also שיתה, סופה.

C rarely uses וו; it occurs but once each in the words גלותהון, רעותא, זכותא; ordinarily זכותהון, ומחזור, ומלווי, עלוון.

C rarely uses " , generally preferring ' . Thus we find מלין, חיון, אוריתיה, but אתייקרו, דאתחייב.

C frequently abbreviates such words as עֵלְמָא, אֶרְעָא, יִשְׂרָאֵל, קֶדֶם יְהוּה, יְרוּשָׁלַם, מְצָרִים.

¹³³ R ומתבלא does not occur as a noun but as Aphel pt.

134 C mg. al. m.

¹³⁵ Cf. Pesahim 39 a, and Löw, *Aramäische Pflanzennamen*, pp. 87, 179.

B. PHONETICS. *Vowels.*

106. In half or completely closed syllables C retains the original *ǣ* which R changes to *e* or *i*; 5. 3 C לְמַהֲרָה, R לְמַהֲרֵה.

When followed by a labial *ǣ* becomes *ū*; 1. 11 R שְׁבַעַא, C שְׁבַעָא.

ē changes to *ī* in 5. 6 C צִבִּיתִי, R צִבִּיתִי.

Final *ī* becomes *ē*; 1. 17 C דַּאֲתַבְנִי, R דַּאֲתַבְנִי; 7. 13 C אִי, R אִי.

ū is changed to *o* in 3. 3, where C writes חֹזֹר for R חֹזֹר; 5. 14 C רֹאבֹן for R רֹאבֹן; 6. 4 C רַעְבֻּותִיךָ, R רַעְבֻּותִיךָ. Pataḥ is reduced to shewa in 1. 14; C מֶמֶן (מֶ), R מֶמֶן (מֶ).

Characteristic of C (and D) alone is the method of punctuating the conjunction ו. Almost invariably C writes וֹ, contrary to rule, before the בַּמָּה letters, thus וֹמֶן, וֹמְשֵׁרִיתָה, וֹבְרַחְתָּה, &c.

In two instances C writes וֹ in וֹקְטִיל, וֹקְטִילִין against the regular form וֹ. It is possible that the pronunciation of וֹ before בַּמָּה was as though it were written וֹ and that the two last forms mentioned are merely mistakes of the scribe.

C. MORPHOLOGY.

1. *Verbs.*

107. Peal. Pt. m. pl. 1. 16 C פִּישִׁין, L פִּישִׁין from פִּישׁ, R פִּישִׁין.

Inf. 2. 9 C לַחְבֵּל, R לַחְבֵּל, L לַחְבֵּל.¹³⁶

Impf. 3. 3 C אִסַּךְ, R אִסַּךְ; 7. 7 C דַּחְסְבִּילִין, R דַּחְסְבִּילִין (Gr. 271).

¹³⁶ L is best form.

Pael. Pt. m. s. 1. 10 C וּמְפָרְנָם, R וּמְפָרְנִים.

Pt. f. s. מְסַדְרָא, R מְסַדְרָא.

2. Nouns.

108. Two different forms of the same noun are found in 1. 1, where C writes עֲסָרִית, R עֲסָרְתִּי;¹³⁷ 1. 11 C עֲסָרְתִּי, R עֲסָרְתִּי; 2. 9 C דִּנְכִּסָּא, AB דִּנְכִּסָּא, EF דִּנִּסְכָּא.

C always writes מְקַדְשָׁא while R generally write מְקַדְשָׁא. עֲנִי written in various ways is found in C as עֲנִי.

In 6. 3 C writes רְחִימִי, R רְחִימִי.

D. SYNTAX. Verbs.

109. Peal. In 7. 2 C writes Pe. pf. where R write pt.: C סִלְקוּ, R סִלְקִין, L סִלְקִין.

Pe. and Pa. 6. 5 C writes Pael. דִּלְקִיטוּ, R Pe. דִּלְקִטוּ.

Pe. and Aph. 3. 3 C writes וְיִשְׂרִי, R וְיִשְׂרִי.

Pe. and Ithpe. Pt. 1. 13 R וְעִסְקָא, C וּמִתְעַסְקָא. 7. 4 R דִּמְתִּילוּ (intrs. pl.), C אֲמַתִּילוּ.¹³⁸

Ithpe. and Ithpa. Pt. 1. 9 C דִּאֲשַׁתְּנֻקוּ, R דִּאֲשַׁתְּנֻקוּ.

Ithpe. and Ithpa. Pt. 1. 11 C דִּמְתַּפְרִשִּׁין, R דִּמְתַּפְרִשִּׁין.

ERRORS

A. TEXTUAL.

110. Omissions in C are very frequent, as may be seen from the cases given below.

1. Homoioteleuta.

1. 9 לא [נניב אמרו רשיעיא וערבאין נוכראין דביניהון ית מיא יכיל
ומישבח [ביני אילני סרק וכולי עלמא 2. 3 ; לנובא וית טינא לא] יכיל
אידין אלהא אנתי 5. 9 ; מודעין יתיה בין ריבון עלמא יאי ומישבח ביני
צביא [למפלח כנשתא דיישר' דשפירתא מכל עממא לאידין אלהא אנתי

¹³⁷ C = עֲשָׂרְתִּי; cf. Nöldeke, *Mand. Gr.*, 154, note 1.

¹³⁸ L writes דִּמְתִּילִין.

על [ליבך כאלף דעזקא] על 8. 6; [בעיא] למדחל דהבין קיימית עלנא למוי [דימא דהא אינון סגיאין לא יכלין למטכי ית רחמי מנך ואן 8. 7. מתכנשון כל מלכי ארעא דמתילין למוי] דנהרא.

2. Omissions.

111. Plain omissions in C are as follows: 1. 13 ובעא [קבלית] עלאי 2. 4;¹³⁹ מקדשא [דיי] דאתבני 1. 17; רחמין [קיי] 2. 7;¹⁴¹ *ibid.* [ומסטריוון] מדברא 2. 14;¹⁴⁰ [דלא] תוידון [למיסק] 2. 7;¹⁴² [ונפק] מתחות ענני 2. 16; רשיעא [גניב] 2. 15; כנשתא [דישראל] 3. 6;¹⁴³ שכינתיה [בגויה] 3. 4; [וניזיל] ונסחר 3. 2; [צדיקי] דרא *ibid.* וטליל 3. 10; מלכא [שלמה] 3. 9; אמר [יין] 3. 7; ומתעבדין [לה] 4. 11; כרכין [תקיפין] 4. 8;¹⁴³ ארעא [דישראל] *ibid.*; [עלוהי] 4. 16; בבית מקדשא [דמתבנו בירושלם] 4. 15; כנינפי [צניעא] מימרא 6. 2; תושבחתא [דיי] 6. 1;¹⁴⁴ נצחן [קרבא] 5. 15; אלהי 6. 5; דבנא [לי] שלמה *ibid.*; אמר יי [במימריה] 6. 4; [דקודשא] לבית 6. 11; [הות] פלחא 6. 9;¹⁴⁵ רבני(י)ך [הכימי] כנשתא [רבנא] 7. 5; בצלאל [אומנא] 7. 2; כנשתא [דישר'] 7. 1;¹⁴⁶ [מקדש] תיניין וקבעין רישי [שנין ורישי] *ibid.*; וידעין [לממני] *ibid.*; דראין [דינין] חסין רשו 8. 3; עמא [דארעא] 8. 1; ובעידן דפרסין [כהניא] 7. 8; ירחין ידכר 8. 4;¹⁴⁸ [לכון] *ibid.*; ארעא [למיסק] 8. 4; למזיקיא [לחבלא] 8. 4;¹⁴⁷ בי [לן] דמין *ibid.*; דלא [נוסיף] עוד 8. 6.

3. Scribal errors.

112. The following scribal errors occur in C:

1. 10 מן פתנמי אוריתא כאטבא 3. 7; דוכרנהון 3. 10; מן 4. 3; ד'חסנן 4. 8; ב'ת ישר' 4. 7;¹⁴⁹ דהיא לך 4. 4; למללא לכא מנך 6. 1; לאידין את אלהא 5. 9; ודמר 5. 4; וחור 5. 1; מקדשי

¹³⁹ C shorter, perhaps.

¹⁴⁰ דלא written C mg. al. m.

¹⁴² C writes ונפק, mg. al. m.

¹⁴⁴ L writes וקרבא.

¹⁴⁶ לביתא, hence may not be an omission.

¹⁴⁷ C לי.

¹⁴⁹ This is both an omission and error of C.

¹⁴¹ L writes מדברך.

¹⁴³ Not necessarily omission.

¹⁴⁵ C רבני.

¹⁴⁸ C mg. al. m. לכון.

6. 11 דאחנבי ; 7. 1 לֹות ; 7. 3 בהין ; *ibid.* תפוק ; 7. 5 דמלדוד ; *ibid.* דמִיא ; 7. 6 למקריה ; 7. 7 מִלכותי ; 8. 4 למפקדהון ; 8. 5 רבִן ; *ibid.* כמא ; 8. 6 לעמא.¹⁵⁰ In 1. 11 there is a textual error of R against the correct reading of C ; באצבעי, R באצבעי.

B. GRAMMATICAL.

1. Verbs.

113. The following errors in verbs are to be noted in C :

1. 6 וסִנִּידת ; 1. 7 מִטְלֵלִין ; 1. 17 יהוִין ; 2. 3 למחב ; 2. 17 למחוי ; 3. 3 אֶכְפֹּר ; 3. 8 וְטָרִין ; 5. 2 אֶתְמָלוּ ; 8. 7 למחוי.

In the following verb forms C alone is correct :

2. 12 אֶתְחַזִּי ; 2. 17 מְפֹרֶסְמִין.¹⁵¹

2. Nouns.

114. The following errors in nouns occur in C :

1. 9, 2. 6 חִיִּין ; 1. 16 וּבְנֵינָא ; 2. 13 לִבְכוּרֵי ; 3. 8 מלחא circumcision ; 7. 2 וּבְנֵיהוֹן.

3. Suffixes.

115. In 3. 5 לאבהתכון C alone has the wrong suffix, while in 7. 7 באנפין C alone incorrectly omits it.

4. Gender.

116. In the following passages C alone has the correct gender : 1. 11 כתיבן ; 4. 12 מִשְׁתַּלְחִין ;¹⁵² 6. 10 שפירן.

In the following C is incorrect in gender forms : 1. 16 דמתקין ; 2. 10 איזיל ; 7. 7 עלך.

5. Number.

117. In 2. 14 מליא and 5. 2 דמעתיך C alone is correct in number. Errors of C in number are : 1. 14 כהנא ; 2. 15

¹⁵⁰ C is blurred.

¹⁵¹ L writes מפרסמין.

¹⁵² The form C מִשְׁתַּלְחִין is not found ; it should be מִשְׁתַּלְחָן, but C is clearly meant for feminine.

בירהון; 2. 17 קרבנא;¹⁵³ 4. 6 בירהון; 4. 11 מתילא;¹⁵⁴ 4. 12
אֲנִישָׁא;¹⁵⁵ 6. 1 דשפירין;¹⁵⁶ 7. 3

6. *Prepositions.*

118. In the following passages C alone has the correct preposition 6. 10 בזמן; 7. 3 באנא.

In the following instances C either omits or inserts the wrong preposition: 1. 1 בליליא, 7 בחמתא; 2. 15 דאתחבלא;
5. 13 בסבא, 14 כשבוזין; 6. 2 לסנהדרין.

CHAPTER IV

D

119. Despite its fragmentary character, D contains a number of interesting variants and forms. It contains even an independent reading which appears to be genuine and not a corruption. While it presents closer relation to C than to the other manuscripts, its variants indicate that it is an independent text, and the missing sections would no doubt have given us a number of interesting variants in form and text.

TEXTUAL VARIANTS

A. INDEPENDENT READINGS.

120. The following independent reading is to be noted in D: 7. 12 כד תבו עמא בית ישר' ומרדו אנלי יי יתהון

The following differences in individual words occur in D: 1. 9 עליהון; *ibid.* ימא; 1. 13 פלחנא; 7. 9 בניסיתא הדא;
7. 10 לחמר חרת

¹⁵³ L writes קורבניה.

¹⁵⁴ L writes מתיקין, which points to a different text.

¹⁵⁵ L writes במבוע דמין.

¹⁵⁶ A L write דשפירא.

B. FULLER READINGS.

121. The following fuller readings occur in D: 1. 14
ובכן [אנא] אניסיןן 7. 9 [בית] מדרשיא 7. 4 [בני] ישראל

The following abbreviated readings occur in D: 1. 1
מימרא [ריי] 7. 10 דוד [ושלמה] 1. 8 שמיא [ואמליל]

C. ORDER.

122. A case of inverted order is preserved in D: 1. 17
משיחא מלכא.

GRAMMATICAL VARIANTS

A. THE ORTHOGRAPHY OF D.

123. D generally omits ו, writing כלהון, קדשא, רנזא, but מירוגזיה also occurs.

D uses וו but once in בחילווחיה, preferring forms without וו, as רעֹחֶא, זכֹּחֶא.

D generally prefers י to ם, making use of ם, strangely enough, in two words טבייא and אבנייא, which are written in the other MSS. and in L with one י. D also writes אוריתא, but דמלין, אורייתיה.

D shows a strong preference for abbreviations, מצרים, ישראל, ירושלם each being written in full once. Otherwise these words are abbreviated together with all other proper names, as well as such words as בנבואה, עלמא, אוריתא, which are written as בנבו', עלמ', or 'על', אור'.

B. PHONETICS.

1. *Consonants.*

124. In 1. 8 D writes כניסתא, R כנישתא.

2. *Vowels.*

125. D retains the *ā* which in half or completely closed syllables is changed to *i* or *e*. Thus 1. 2 D בִּנְרֶסא, R בנירסא.

\check{a} is lengthened to \bar{a} in Pa. pass. pt.: 1. 11 D מֹזֶקֶק, R מֹזֶקֶק.¹⁵⁷
 \bar{z} changes to \bar{e} in 1. 12: R נִדִּיף, D נִדִּיף; 7. 10, 8. 5 מִיתִיָּא, D מִיתִיָּא, &c.; cf. 7. 9 וַאֲחֻזִּי.

\bar{e} changes to \bar{z} , 1. 7 R חֹזִי, D חֹזִי; 7. 9 אִי, D אִי. Pataḥ and shewa interchange: 8. 5 D עֲתִידִין, R עֲתִידִין. Peculiar to D (and C) is its writing of the conj. ו before בַּמָּק with a shewa. Thus וַפִּרְשֻׁנִּי, וַמְשִׁירֵתִיה, וַבֶּרֶק. It is probable that D imitated C in this peculiarity in all the missing sections, as it imitated it almost entirely in those chapters extant. The pronunciation of ו before בַּמָּק was probably as though written ו.

C. MORPHOLOGY.

1. Verbs.

126. Peal. Impf. Two forms of Peal impf. occur in 1. 8, 8. 4, where D writes וְיִהְיֶה, R וְיִהְיֶה.¹⁵⁸

Pael. Pf. Two forms of Pael pf. 3 m. s. in 1. 7 D חָזִי, R חָזִי. Pt. pass. f. pl., two forms in 1. 11, D מִסְדֵּרִין, R מִסְדֵּרִין.

Aphel. Pf. Two forms in 1. 1 D אָנַח, R אָנַח.

2. Nouns.

127. In 1. 1 we have four instances of the same change of form of numerals, where D writes תְּמִינָתָא, שְׁבִיעֵתָא, חֲמִישִׁתָּא, עֶסְרִיתָא for R תְּמִינִיתָא, שְׁבִיעִיתָא, חֲמִישִׁיתָא, עֶסְרִיתָא. Two forms of the sing. noun occur in 1. 10, where D writes סוֹסָא and R סוֹסִיא. D preserves a singular reading, 1. 16 בְּפִוִּינָא, R בְּפִוִּינָא.¹⁵⁹ In 8. 6 D writes לְגִמְרִין, R לְגִמְרִין.

3. Conjunctions.

128. In 8. 1 two forms of the conj. occur where D writes אִוָּף, R אִוָּף.

¹⁵⁷ Cf. Gr., 332.

¹⁵⁸ Cf. Gr., 354.

¹⁵⁹ Cf. note 87 above.

D. SYNTAX. *Verbs.*

129. Peal and Pael. In 1. 9 D writes Pael 3 m. s. עָבַד, R the Peal עָבַד. In 1. 3 D writes Pael 3 p. רָחִימוּ, R Peal intrs. רָחִימוּ.

Pael and Ithpaal. In 1. 4 D writes Pa. pt. מִרְחָקִין, R Ithpaa. מִתְרַחֲקִין.

Ithpeel and Ithpaal. In 8. 2 D writes 3 p. דָּאֲתַעְתְּרוּ, R דָּאֲתַעְתְּרוּ. Inf. In 8. 5 D has Ithpaal לֹאֲתַבֹּעֵא, R Ithpeel לֹאֲתַבֹּעֵא.

ERRORS

A. TEXTUAL.

1. *Omissions.*

130. The following omissions are to be noted in D: 7. 11 [בי] ואִינוֹן שֶׁלֹּטִין; 8. 1 כֹּד [הוֹיִתִי] רִבִּירָא; 8. 3 וְאֵנָּה קִשְׂרָא [וּבְרִישִׁי] תַּפְלִין סְמִלִי.

2. *Scribal Errors.*

131. D contains the following scribal errors. In 1. 1, 1. 2, 1. 5, 1. 17 D repeats שְׁלֹמָה for שְׁלֹמָה; 1. 6 בְּנִימִסּוֹי; 1. 8 שְׁפִירָתָא; 1. 11 יִקְרִי; 1. 14 כִּמָּא; *ibid.* וְסִלּוֹק; 1. 16 יִצְלִי; 1. 16 עֲפִיִּיָּה; 7. 10 דְּבִנְבִיאֹת; 7. 13 נִסְפְּרִי; 8. 1 יִת; 8. 5 בְּנִיא. A textual error, apparently a doublet, occurs in D: 1. 13 אָרוֹם אָרִי.

B. GRAMMATICAL.

1. *Verbs.*

132. The following errors in verbs occur in D: 1. 8 וְאִסְרָא; *ibid.* רָחִים; 1. 13 וְאִשְׁוִצִּינוֹן; 8. 1 וְאִסְרָא.

2. *Nouns.*

133. The following errors in nouns occur in D: 1. 8

מִשְׁכְּנֵיהֶן; 1. 9 רִתְּכֹוּ; 7. 14 רָעָה. The following noun forms in D are better than in R: 1. 2 סְנִיּוֹת;¹⁶⁰ 1. 11 עֲנִינֵיהֶן.

3. Gender.

134. In the following passages D is incorrect in gender: 1. 1 דַּמְתִּיהִיב; 1. 4 הוּה; 1. 7 קָשֶׁן; 1. 8 דַּמְתִּילֶן יָאָה; 1. 11 דַּמְתַּפְרֶשֶׁן; 1. 14 אַחֲרָנִן; 1. 16 סִנִּיא.

4. Number.

135. D alone is correct in number in 1. 15 עֹבְדֵיךָ, while it is incorrect in *ibid.* דַּמְלֵאכָא קִרִּישָׁא.

5. Prepositions.

136. In 1. 10 בְּנִירָא, 12 בְּנִרָא; 7. 13 וְעֵמָא D is incorrect.

CHAPTER V

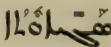
EF

137. In EF also we find a few variations in text. There are further differences in orthography, phonetics, morphology, and syntax to be noted. The orthography of E especially, which, however, is distinct from F in many respects, has a number of interesting points. Taken all in all, the text of these two MSS. is well preserved, and contains by far less of textual errors than C, and is only slightly inferior to AB.

TEXTUAL VARIANTS

A. INDEPENDENT READINGS.

138. The following variations in text are to be noted in EF, jointly or singly: 1. 1 מְרִי שְׁמִיא; 1. 8 בְּסוֹסוֹן; 1. 9 הוּא; 1. 14 שְׁעָתָא; 4. 1 בְּנֵי כְנִשְׁתָּא; 5. 10 מְסִנִּיאָתָא; 7. 11 כְנִשְׁתָּא; 8. 6 בֵּית יִשְׂרָאֵל; E 1. 1 מֹשֶׁה וּבְנֵי יִשְׂרָאֵל; F 1. 17

¹⁶⁰ CE write סְנִיּוֹת. Cf.  and Merx, *Chrest.*, 10, note 9, where all these forms repeat themselves.

ומשיח 7. 4 ; דיהון להון 7. 3 ; אשבעית עליכון 5. 8 ; דעל 4. 4 ; קוסי
בר יוסף אפרים.

B. FULLER READINGS.

139. There are a few fuller readings in EF: 1. 10
[קומי [ואזילי] 2. 13 ; ארעא [רבנען] 2. 7 ; כד נפקו [בית ישראל]
מיתיא [דישראל] 8. 5.

C. ORDER.

140. One instance of inverted order is to be found in
EF: 4. 2 ומתכלא ועקרא.

GRAMMATICAL VARIANTS

A. THE ORTHOGRAPHY OF EF.

141. E and F differ in the use of ש and ס ; E prefers ש, writing עשר, שמלא, עשרתי, עשר, but וסאני and the proper names פרם and דמסק. F, however, prefers ס, using the ש but once in שני and שער, and in the proper names מתפרשין and שאני ; otherwise using ס, as in עסרתי, עסר. E alone shows a decided preference for vocal א, writing עלאי, ריבוא, שמאלי, &c. Both E and F prefer ו defective, F more strongly than E, and the same tendency prevails with regard to י defective. EF rarely use וו, the word זכוותא it is true, occurring several times, but more often רעוּתָא, זכוּתָא, &c. Similarly, EF rarely use יי, preferring single י forms. Finally, EF are not inclined to abbreviate extensively, confining their abbreviations generally to קדם יהוה. E rarely abbreviates even קדם.

B. PHONETICS.

142. In 2. 9 while R write רִכְב, E writes רכיב and F רכִּיב. In 1. 13 R write אִשְׂרֵי, EF אִשְׂרֵי. ē is reduced to ī in 2. 10, 3. 3, 5. 3, where E writes אִתִּיב and R אִתִּיב ; 5. 4
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E אָזשט, R אוֹשט; 6. 12 E אָמליך, R אַמליך; 8. 14 EF דעריק, R דאַתחייב. In 1. 14 F writes דאַתחייב, where R write דאַתחייב; in 2. 14 F writes מברא, R מברא. Shewa and pataḥ change places in 4. 11, where EF write בעזרתא and R בעזרתא.

C. MORPHOLOGY.

1. *Verbs.*

143. Peal: Pf. 3 pl. 5. 9, EF ואמרין, R ואמרו. Impf. 3 m. s. 8. 12, E יהא, R יהי. Impv. 2 s. f. 5. 2, EF ושבחי, R ושבחי. Aphel: Pt. m. s. 2. 14 *bis*, EF מעיק, R מעיק. Inf. 8. 8 EF ללנחא, R ללנחא. Ithpaal: Pf. 3 m. s. 1. 14 F דאַתחייב, R דאַתחייב.

2. *Adverbs.*

144. In 2. 5 E has form מוני, R מנו.

In 1. 12 F alone, and in 2. 17 EF jointly, מן קדמת דנא, where R have מן קדמת.

D. SYNTAX. *Verbs.*

145. Peal: In 6. 6 EF use the abs. pt. אכלין קורבניך, where R have the cst. pt. אכלי קורבניך. In 1. 8 the pt. act. and pt. pass. are used interchangeably; EF רחים, R רחים; likewise in 5. 2 and 8. 14, F יביל, R יביל; E דרמין, R דרמין. In 8. 9 EF have Peal pt. pass. דעסיקין, while R have Pael pf. דעסיקו. Peal and Pael pf. interchange in 5. 5, F תהית, R תהית. In 1. 5 and 2. 5 Peal intr. and Pa. pf. interchange, E סליק, F סליק, R סליק; F קריבית, R קריבית. In 8. 7 EF use Peal inf. למטפי, while R have Pael inf. למטפי. Pael: Pt. act. and pt. pass. interchange in 5. 10 E מחרת, R מחרת. In 3. 7 the Pael and Aphel pt. interchange, F מסחרא, R מסחרא. In 2. 17 F writes Aphel, R Ithpeel; דאדכר, דאדכר. In 3. 8 EF have Ithpa., while R have Ithpe.; דאיתחיתמת, דאיתחיתמת.

ERRORS

A. TEXTUAL.

1. *Homoioteleuta.*

146. The following omissions due to homoioteleuton are found in EF: 2. 12 [לאברהם אבוכון כבר שמעתון מא ; דאמרית] ; והיכרין [אנא מעיל ית בניהום לארע צדיא כען אנא ; דאמרית] ; שליט [בהון 8. 12 ; יתהון] [ביר סנחריב מלכא דאתור ואגלי יתהון] 5. 4 ; ירבעם בר נבט ותרין שבטין יהודא ובנימין ישלוט [בהון].

2. *Omissions.*

147. The following omissions occur in EF: 1. 4 מן ננוך ; במימריה 1. 15 ; חמרא [לנסכא] 1. 14 ; [דרקיעא] ונחדי [ונבדח] כען איתו [כהניא] 5. 1 ; צדיקיא [כבנוי דיעקב] דלקטו 4. 1 ; [משבח] למקני [ייחוד] שמיה 8. 9 ; רחמי פיקודי.

The following omissions are found in F alone: 1. 16 [ואמרית] להום 2. 5 ; סניין [עלוי ארעא ואנחנא פשין וסנין].

3. *Scribal Errors.*

148. Errors of divers kinds are to be found in EF: 1. 8 תשפי ; 2. 5 רעית ; 2. 9 דניסכא ; 5. 11 דהב ; *ibid.* דנשרין ; 6. 10 וברין ; 7. 10 ונהי ; 7. 11 וכען ; 8. 7 למוי דמיא ; 8. 8 אית ;¹⁶¹ 8. 14 דאזלא ; *ibid.* עתקין.

The following errors in vowels are to be noted in F over the prefixes ל and ד ; 1. 11 לִרְקִיעָא ;¹⁶² 5. 4 דִּרְאוּבִן ;¹⁶² 5. 12 דִּגְזִרִין.

The following are textual errors in F alone: 4. 8 דהא ; 5. 5 עובדי ; 6. 11 מרי ; 6. 12 למכינון ; 7. 5 כִּנְצִרְתָּא ; 8. 5 בְּעִרְן .

4. *Miscellaneous Errors.*

149. The following miscellaneous errors are found in E alone: 1. 11 דִּהוּא ; 1. 14 מא ; 2. 4 פקודוהי ; 2. 14 ובחברני ; 3. 11 בְּחִיל ; 4. 6 מן ; 5. 1 ואכלית ; 8. 8 בעידנא .

¹⁶¹ R have לית ; hence the very opposite thought is here expressed.

¹⁶² In these two instances it may be the influence of the guttural ר that altered the vowels of F. Cf. Gr., 224.

F contains the following errors: 1. 8 מִדְּשָׁא; 1. 9 רִשְׁעָא; *ibid.* יָמָא; 2. 3 לְעֵמִיָּה; 2. 14 אֲבַחְבְּרוּנִי.

B. GRAMMATICAL.

1. *Verbs.*

150. EF have the following errors in verbs: 2. 3 דִּסְנִין; 2. 8 דִּהוּי; 4. 3 מָלוּ; 4. 10 נָדִיף; 4. 16 יִזְעִיל; 5. 1 אִיתִיאוּ; E alone has the following errors: 1. 9 דִּאֲשַׁתְּנָקוּ; 3. 7 מַתְנַבְרִין; 3. 10 שְׂרִיא; 4. 7 עֲבָדִי; 4. 8 מְסַקֵּן; 5. 4 וְלִמּוֹתִיב; 7. 3 בְּמוֹתִיה; F alone has the following errors: 2. 17 אֲבַעָא; 3. 11 דְּבַלִּילוּ; 5. 4 וְלִמּוֹתִיב; 5. 10 מְחַדָּת; 8. 14 קָמִיין.

2. *Suffixes.*

151. In 5. 16 מוּרִינָא, חֲבִיבִי; 6. 4 חֲבִיבִיתִךְ; 8. 6 לֶךְ, EF have wrong suffixes.

3. *Gender.*

152. In 2. 2 בִּישִׁין; 3. 6 לִיה, EF are incorrect. In 1. 16 פְּשִׁין, E is incorrect. In 1. 10 יִתָּה; 7. 2 וּמִקְרַבֵּן, F is incorrect.

4. *Number.*

153. In 1. 9 שִׁירְתָּא; 2. 15 בִּשְׁבַטִי; 6. 10 כְּסִיֶּהֶרֶן; 1. 11 דְּבִירָא; 2. 2 דְּנִיעֶצָא; 2. 6 מִיִּשְׂרָא, EF are incorrect in number. In 4. 5 פְּטִימָא, E is incorrect. In 1. 7 דְּקִישָׁא; 2. 2 וּבִזְעִין; 4. 2 צְנִיעִין, F is incorrect.

5. *Prepositions.*

154. The following errors occur in EF: 7. 10 דְּבִקְעָת; 8. 13 לְבִי. In 1. 2 עִמֵּן, E alone is incorrect. In 4. 13 כְּנִנְתָּא, F alone is wrong.

6. *Conjunctions.*

155. In 1. 13 and 4. 4, F incorrectly omits conjunction באַלְפֵן, דְּכִיר; וְ.

THE RABBINATE OF THE GREAT SYNAGOGUE.

LONDON, FROM 1765-1842.

BY DR. C. DUSCHINSKY, London.

APPENDIX V

HEBREW LETTERS AND DOCUMENTS.

1. R. Tevele to R. Meir Schiff. 21 Adar 1776.
2. R. Tevele to R. Meir Hanover. 21 Adar 1776.
3. Aaron Goldschmid to J. Kik in Hamburg. 21 Adar 1776.
4. R. Tevele to R. Meir Schiff. 1 Iyyar 1780.
5. The same to the same. 14 Elul 1781.
6. Moses Schiff to R. Meir Schiff. 14 Elul 1781.
7. R. Tevele to R. Meir Schiff. 22 Adar 1782.
8. The same to the same. 20 Elul 1782.
9. R. Tevele to Isaac Speyer. 20 Elul 1782.
10. The same to the same. 15 Ab 1785.
11. R. Tevele to R. Meir Schiff. 15 Ab 1785.
12. The same to the same. 26 Sivan 1787.
13. R. Tevele to Rabbi Joseph Steinhart of Fürth. 19 Adar 1771.
14. R. Tevele to Rabbi Saul of Amsterdam. 19 Adar 1771.
15. The same to the same. 10 Adar 1779.
16. Title page of the book לשון זהב.
17. R. Isaiah Berlin to R. Tevele Schiff. 26 Tammuz 1785.
18. The same to the same. 3 Adar 1787.
19. Document by the Beth Din of London. 27 Nisan 1769.
20. Ditto. 28 Tishri 1772.
21. Ditto. 5 Elul 1783.

Letter I.

Fol. 1 a.

ב'ה לונדן ס"א אדר תקלוי' ל'

שלו' לאהו' אחי ידידי הדיין המופל' מהו' מאיר כ"ץ עזג' היקר'
 תי' ובתם תי' וכאשל' א'ן

לקיים מה שנאמר בכתבי מהו' ח' יום להשיב לך באריכות ע"ד
 הרבנות הידוע וזהו אע"פ שמאוד סתומין דבריך באמרך פון וויכטיגה
 לייטין רעקומדאציאן (בדיוק?) לשמה הושט, ולא פרטת מי המה מ'מ אוקי
 אחזקתי' שלא תרעיש את הרעש הזה אם לא ע"פ יסוד מוסד. כי באמת
 גם בקק המבורג מסתמ' ימצא (ו) לומדי' שגם המה ראוי' לאותו איצטלא,
 ותמיד ק"ק ק"ה נברהי' אחר ק"ק ה"ב, אעפ"כ האמת אתך אל תהי בו
 לכל דבר כמאמר חז"ל, ובפרט אם יש לך על מה להשען לבנות הבנין
 על היסוד ההוא, ולזאת נכנס באזני לחקור ולדרוש באיזה אופן שאוכל
 להיות לך לעזר בעה"י והנה ראה מצאתי רק אחד דער רעקטו מכאן לק"ה
 קרושפאנדירט והוא קצין אחד פרנס דביהב המבורגר פה. וכי הוא זה
 שהביא לכאן באותן הימים הרב דבה"כ המבורגר פה, ועודנו הוא אוהב
 דבק מאח להרב הנ"ל, וא"כ הוא אסור לגלות להאיש ההוא אפי' כמלא
 נימא כי משפחת ח"ץ בוודאי ימצאו אחד מקרוביהם דאהין צו רעקומנדירן.
 בכן מוז איך דאש גאנצי עסק פה מסתיר זיין. וכאן הוא ארץ הנגב¹⁴³
 ווייש עד היום קיינר אויסר לאותן שהוצרכתי לגלות מפני הצורך
 בהסתר ובסוד נעלם דש הרבנות דק"ק ק"ה פיקאנד, אמנם לפוטרך בלא
 כלום א"א לזאת מה שביכולתי עשיתי. וביום ויו העבר כתבתי על
 הפושט להק' ר' מאיר הנובר כמו העתק בדף הדבוק וכה"ג פינדט זיך
 כאן הק"ר משה וואליך שכתב לחמותו חורגתו א"ר ר' דוד הנובר ז"ל
 והיא מילדי ק"ה. . וגם הק' ר' זלמן הנובר חתן ש"ב הק"ר ר"ג קליף
 אשתו הראשונה היתה אחותה מילדי ק"ה ומסתמא הק"ר ר' זלמן הנ'
 יעמוד על צדך וואן מגיסך הק"ר ר"מ קליף ערוזכט ווירט. . המבורגר
 קצינים קענין לדעתי ג'כ נאר פיל טהון איזט כמו פארשטאט לק"ה.
 ומסתמא משם יבוא לך ע'י קורשפאנדענטן משמה להב' עיקר היסוד. איך

בראשית כ' ס"ב ; יהושע ט"ו י"ט ; תמורה ט"ז ע"א¹⁴³

אבר האבי מצד עצמי אין אחד וואו מריין אגרותי אליו זיין קען. זונשטין
דיא איזה קצינים כאן דיא לה"ב קורשפאנדירן שקבלתי בשכלי יש מהם
קרוב להפסד וואן איהנין מנלה בין. ויש מהם ווערדן עש ניט טוהן
ווייל מיר ניט זעלבשטן בטרעפט. לזאת המתקתי עצה עם ש"ב הק" פ'ו
כ"ה אהרן גאלד שמיד, והסכים עמי. גם למעני שרייבט ער מיט הייטיגער
פאשט לבן אחותו הק' כ"ה יעקב ב"ה מענדלי קיק בהמבורג, דיזור זאגט
מיר דש ב"א הנ"ל איהם מחויב איין טובה צו טוהן. ווייל זיין
קורשפאנדענט איזט עד היום ובימי' העברו ניט צו קורין אן איהם
קומין. הק' ר"א הנ"ל מיר גזאגט איך זאל אויפזעצין וואש ער שרייבן זאל
וככה יעתיק מלה במלה, ועשיתי כדבריו לויט העתק ברף הדבוק. וויא
מיר הק' ר"א זאגט איזט ב"א הנ"ל סוחר אדיר ובוודאי קורשפאנדענין
לק"ה האבן ווירט, ואל יעלה על לבך שרברי ר"א הנ"ל לא יהי' נשמעי'
כחכמת המסכן¹⁴⁴ וואלטי ווינשן גם אני גם אתה זא פיל העטין כמוהו.
זולטין מיר בידי קיין רבנות ניטיג האבן. ובאמת זיצט אין זיין כבוד
כמקדש, דאש איזט נון אליש וואש איך האבי קענין ממציא זיין | לעשות
עשיי' לשמך ולה' הישועה, עכ"פ יפה עשית שכתבת אל, ובעניני' הללו
ראיתי בעיני באותן הימי' דש איך אומש הרבנות פה גשטרעבט, מתלא¹⁴⁵
דאמרי אינשי קליינר שטיין ברויכט מאן אויך צו איין מואיר. קומט אבר
העיקר אן על היסוד שנבנית החומה, דער אנשלאג איך זעלבשט לקהל
ק"ה צו שרייבן הוט

Fol. 1 b.

ב'ה

אחי שי' בעצמו ניט מחליט גוועזן. וגם לא יכנס באזני, זה שנים
רבות איזט כאן גוועזן פנוי אחד מק"ה מעשירי העיר שמה והי' איזה
פעמי' בבית, וחשבתי בדעתי איך וויל אלטי בקנדשאפט זוכן ועכשיו
בוודאי הוא נשוי. ואלין שרייבן אויב מיר ניט הירין איין טובה טוהן קען.
ובתוך הכתב העטי איך וואהל שרייבן קענין שלא אורח ארעא לייחד
הדבור לכל הקהל. אעפ"כ הוא יכול להראות כתבי לכל הקהל י"ן עכ"פ

קהלת ט' ט"ז¹⁴⁴

בבא מציע' פנ: מתלא מתלין במערבא ובכ"מ בש"ס מצינו, היינו¹⁴⁵
דאמרי אינשי.

העמי גלעגנהייט גהאבט להפליג ולהגזים שבחך לעיני כל הקהל י"ן אמנם
אחר החקירה והדרישה אצל הב"ב כאן וואו האיש ההוא באותו פעם
לאשירט נתוודע אלי כי מתו כל האנשים שירדו מנכסיהן כל בית אביו
ולא נשאר מהם זכר. זא איזט דער אנשלאג ג'כ אוועג גפאללען. לאמש'
בין פרעמד מצד עצמות בהרצת אגרת כמו לה'ב ולק"ה וע"י אמצעי
כבר כתבתי כנ"ל שקרוב להפסד ורחוק משכר, בכך אין להוסיף על מה
שעשיתי. וה' הטוב יגמור בעדינו כל טוב ובטוב אסיים ושלוי וחיי' מאת
ה' וממני אחיך ד"ש.

הק" טעבלי כ"ן שיף

בני הבח' כ"ה משה כ"ן ד"ש האט אויך עטוואש גטוהן דא בייא
להעתיק הכתבי' הדבוקים גיסתך הב' מ' מינדלה תי' גריסט ג"כ מעכט
אויך גערן עטוואש דא בייא טוהן לטובה. לא"א הישיש נר'ו הברירה
בידך דש אויז צו ריכטן ווען אחי שי' איהם מגלה איזט מכתבי הלוח.

Letter II.

Fol. 2 a.

ב"ה קאפייע להק" ר"מ הנובר יצ"ו טוב אדר תקלו.

מיום בואי למדינה זו הייתי חושב מחשבות למחו' היקר ערווידרן צו
קענין הטוב הנעשה לי על ידו הגדולה מיט זיינה רעקומדאציאן לפה בעת
ההיא דש אום הרבנות אן גזוכט, אבר איך וואהר תמיד אויסרשטאנד
גלעגנהייט זיא צו פינדן. ומי יתן באיזה אופן זיין קענטי אחריות תלתא
פרסי בלולא איך האבי אבר גלעגנהייט מיט דיוזם למחו' הק' אברמאהלין
אומב איינה טובה צו ערזוכן מעין הטובה הראשונה. נעמליך ששמעתי דש
הרבנות בק"ק ק"ה פיקאנט ואחי הדיין הרבני המופלא כמהורר מאיר שיף
כ"ן נר' מפ"פ דוריק אייניגה אינטערצעסיאנש דאפיר זוכט להיות
לאב"ד בק"ק הנ"ל, דש ער נון ראוי לכך איזט אויבוואהל כאיש אל
אחיו פסול עדות בין. אמנם הוא מלתא דעבידא לגלוי' וכל עוברי
אורח יעידון ויגידון שזכה לשם ויש לו יד בפוסק' ובהריפות וידעתי גם
ידעתי שיש למחו' הק' שי' יד ושם גדול בקק הנ"ל ודבריו נשמעי' אצל
נכבדי העיר ע"כ אם מצאתי חן בעיניו וכשר הדבר לפניו אונד לאחי נר'
במכ"פ¹⁴⁶ דאהין רעקומנדירן וואלטי, מלבד ששכר הרבה יטול מן

אולי צריך להיות: במכ"ה, ר"ת במחילת כבודו הרם¹⁴⁷

המקום ב'ה' ומן הבריות, זולטי מיך אויך אויף דש אלליר העכשטי אובליגירן אויך ווייס צוואהר ניכט גנינגר מיך צו עקסקוסירן שעלה על דעתי להטריח אותו בזה, אמנם סימנא מלתא, והואיל דאסתייע מן השמים, מיר בענין הרבנות כאן מחו' הק' פילש בייא גמראנן. ואחי שי' עי'כ במקומי בק"ק פ"פ נבחר לדיין הקהלה ווארדן אולי בעזה'י ובשה'ג מחו' הק' שי' ג'כ דער שליח מצוה זיין זאל, להביאו אל מקום מנוחה הרבנו' דק"ק הנ'ל, מיט מעהרר אומשטענדן וויל ניט אינקומאדירן. רק וויל שליסליך ביטן שאל ישבני ריקס, וידו הגדולה והחזקה . . . (היריבר ?) אן צו ווענדן במכ'ה והנשאת, זול אויך מיך אופערירן לעומת זה באם שיבוא לידי להיו' מוכן לטובתו. כבר הקדמתי דאש בר מן דין מחויב בין מצד עצמותי ע'י מעשה שהי' כל מגמותי דאהין צו ציהלן לשרתו לטובתו.

Letter III.

קאפייע מהכתב של הק' פ"ו כ'ה אהרן גאלדשמיט לבן אחותו הק' כ'ה יעקב קיק בה'ב כ'א אדר תקל"ו בלונדון.

איבריגנש וויל לב"א שי' אום איין טובה ער זוכן נעמליך כאשר שמעתי וויל מאן בק"ה איין רב אן נעמן נון בפינד זיך בעיר פ"פדמ איינר בשמו ש"ב הדיין הרבני המופלג כמהו' מאיר שיק כ"ץ אחיו של אב"ד דקהלתינו ש"ב הגאון מוה' טעבלי כ"ץ דיזור זוכט

Fol. 2 b.

זולכ' רבנות אונ' הוט אויך פילי רעקומדאציו' לק"ק הנ'ל פון וויבטיגה לייטן. ובאמת איזט ער ראוי לכך, איזט גרוישר למדן בחריו' ובקיאות גם מוישלם בכל המעלות ומדות. ווען ער אויך ער הנה קיין רב גוועזן. איזט ער דיין בק"ק פ"פדמ וכמה קהלות גדולות נעמין זיך רבני' מן דייני' דק"ק פ"פדמ, וויא מיר כאן ג'כ גטוהן הבן אונזר רב ש"ב הגאון מהו' טעבלי הנ'ל איזט אויך נור דיין בק"ק פ"פ גוועזן. אונ' מיר הבן דאך ת'ל ב'ה וויא מפורס' איזט איין גוטי משא ומתן גטוהן ה' יאריך ימיו אין אמת צו זאגן באותו פעם איזט הכל על ידי גשעהן = ווייל מן דודנו המנוח כה'רר יוחנן ז"ל רעקומדאציו' גהאבט ובעזה'י האבי איך מצליח גוועזן כאשר מפורס' בכל הקהלה כאן דש איך לבר ממש איהם אויפ גנומן. נון מעכטי איך נערן לאחיו ש"ב הדיין כמהו'רר מאיר כ"ץ אויך איין זולכה

טובה טוהן ולהרבנו' דק"ק הנ"ל צו העלפן. אליינר אין האבי קיין קורשפונטענט לע"ע (לעיר ?) הנ"ל וב"א ש' בוודאי פילי גומי פ" בק"ה הוט בכן ער זוכע צו טוהן וויא איך נטוהן הבי אויך זולכש לויין אן גלעגן זיין. מיט רעקומדאציע לשמה איך פרזיכרע וואן בעזה' לגמר טוב קומט דש ב"א ש' כבוד גדול דאפון הבן ווירט. אונ' איך אבארט ווערי לב"א ש' דאפיר איבלגירט זיין ופשיט' ש"ב הנאון אב"ד דקהלתנו ווידרום מוכן לטובתו זיין בכן אהו' ב"א ש' וואש מעגליך איזט דאש ב"א זעלבטין לק"ה רעקומדירן ער אודר דוריק אנדרי גומי פריינר גשעהן אונד זיך ניט צו שפאהרן נשיכט מיר גרויש פלעסיגה דאמיט אונ' בין ווידרו' כהנה וכהנה מוכן לטובתו.

Letter IV.

ב'ה לונדן עש"ק ר"ח אייר תק"ס לפ"ק.

שלום לאהו' אחי ידידי הרבני המופל' הדיין מהו' מאיר כ"ץ עם זוגתו ניסתי היקרה תי' ובתם תי' ולבאלש"י א"ן.
כתבך מן ה' ניסן קבלתי. ובדף הדבוק הישבתי לך על דבר הלכה. ולא באתי לקפחך אלא להראות שהשתשעתי בדבריך ועמדתי על כל דבריך מרישא ועד גמירא והי' לי לנחת ועונג י"ט העבר לראות זך שכלך ועומק עיונך. והאמת אומר בדברים קצרים כאלה בס"ד נוכל לכתוב זה לזה. אבל בדברים ארוכי' ועמוקי' בארץ הנגב אנכי, ¹⁴⁷ ואין לי דיבוק חברי' ותלמידי', אפילו להוציא מן השפה לחוץ א"א לי לקבל ממך ולשום עיוני עליו כדבעי. וכהנה להיפך אם לפעמים לצורך הלכה למעשה אלך בארוכה או לטייל בדרוש נאה או שום דבר חידוד בהלכה. קשה עלי להעתיק ועל הצ"א פני' להעתיק כמעט לא מצאתי אחד הישר בעיני בכן אם לפעמים יעלה בידך בעזה' או בידי שום דבר קצר תמוה לא נמנע בעזה' להעיר זה לזה, ואף גם זאת, לפי שעה לא נפסיק בין הפרקי' בענין הגובי' י"ץ אונ' נון בעה' דיזוש מיט פלייסיגה קורעשפאנדענט גומר זיין וחלילה לומר לכשאפנה אשנה. רק כשזה מצינו נ"כ באמוראי' שאמרו במטותא מנייכו דלא תחזו קמאי וכו' ¹⁴⁸ אע"פ שיש לחלק קצת זכר לדבר יש.

ומעתה אשיב על כתבך כסדר נון זיין מיר סלדירט. תמהני יששנית

עיי' לעיל, בס' (144) ¹⁴⁷

ברכות ל"ה ¹⁴⁸

מליתן הח' פ"ץ לגיסי חיים. ולנכותן מהאלמנה. הלא אפי' מותר עני לאותו עני מכ'ש הסך שנתנדב ממש לאותו עני. בכך מהראוי הי' שתפסיד אותו מכיסך. אבל חסתי עליך ובזה אורדניהרי ליתן ח' פ"ץ להאלמנה. ומלבד הח' פ"ץ שנתת כבר עבורי לגיסי הנ'ל תתן לו עוד עבורי חמישה זהו' ותעמוד לחשבוני (fl. 6, 12) האסענ' מווינא ווירט נון מסתמא פאר קומין זיין.

הרב דק"ק המבורגר כלו כל הקיצין משעה לשעה רשות מקהל צו בעטלין דאש כאן בלייבן דערף ואע"פכ יעמדו במה שפסקו לו חמשי' ליטרות לשנה כל ימי חיו. ועכשיו בשבוע הבע"ל ילך לדרכונ, ותמיהתך תמיה קיימת דאש איך אלש בחנם טוהן מוז זולת מתנות על ר'ה ופורי' מאותן שהי' רגילי' בלא'ה ליתן לי לאותו זמן. התרת קידושין עכשיו הנהוג ביניה' ע"פ אורדר מקהל שלהם שלהמחותני' הברירה ליקח אותי או חזן שלהם. ולפי שהחזני' שלא כדין בכ"מ מחניפן לציבור כל השנה שעברה לא סדרתי קידושין אלא לאחת בת ר' ליב טושקא. . שהוא כריע כאח לי איש תורני ונכבד ועושר גדול שאל נא על אודותיו לכ'ה משה מונק. . ובאמת ר' ליב הלזה וכמה נכבדי' עמו שאני מקורב אליהם דענקן מיט דער צייט ווירט התרת קידושין מיר אהיים פאללען. וכעת עדיין רחוק מזה. אפשר ברבות הימים ווערדן איזה פני' חדשות ג"כ קומין במתנות לזמני' הנ'ל אבר שכירות קצוב מקהל הנ'ל לשנה איזט קיין ה"א, קיין אנדרין רב בקהל ה'ב לא יעלה ולא עלה על דעת אדם מעולם, יכול להיות קהל שלי ווערדן אנפורדן מקהל ה'ב סיוע לשכירות שנותני' לי היינו המאתי' ליטרות לשנה, ולדעתי ווערדן זיא 50 ליטרות ארויז רייסן וואו מיר ניט פרוטה אחת לכיסי קומין ווירט בין דאמיט אויך צו פרידן כי כבר כתבתי לך שהמאתים ליטרות שיש לי מהקהל שלי הי' עומדי' ברפיון וכל אסיפה ואסיפה מקהל דיברו מזה מ' גורל הוצאת ומיעוט הכנסה יהי' מוכרחים לגרוע שכר הרב ושאר משועבדי הקהלה בקצרה איך קען שרייבן כמה ביגן ווירשט אלש ניט פאר שטיהן אופי' של העיר הזאת. בילדישטו דיר איין לונדן איזט איין קהלה. ניין ווייט דאפון. וכה'ג שרייבשטו שקשה לך כמה קשיות דלית נגר¹⁴⁹ וכו' הבנתי קריעותך ורמיותך. את הכל אוכל לתרין בדרך פשוט מאוד לכל היודע אופי' של העיר ואודתי. וא"א לכווין בכתב. איך שוועהרי דיר כה אזכה לראות שובע שמחות שתשיקתי כמוך לראותך בשמחה ובטוב באהלי לדבר.

עבודה זרה דף ג' ע"ב¹⁴⁹

בנשיקת פא"פ ולהוציא דממות לבי ולא לחנם כתבתי לך לשאול למשה מונק על ר' ליב הנ"ל ואודותיו. הוי יודע שנשאתי ונתתי עמו בדבר הזה בי"ט העבר כשהי' הנ"ל בביתי במעמד בני הבח' כ"ה משה כ"ץ שגם עליו עוצם תשוקה לזה כמוני. ולא רצה להסכי' כלל וכלל, וסתירת זקני' שקנו חכמה וגדולה כאיש הלזה בנין^{149 a} ובפ"א אי"ה אפשר חלקי הבונה והסותר שהי' בינינו וד"ב לפ"ש.¹⁵⁰

עם הק" הבח' כ"ה משה ב"ה ליב צונץ דברתי ואמר לי קן זיך ניט איין בילדן. ראש אמו חורגתו ובני' אחיו ניט צו פרידן כלל עם הקצוב ששולח לשם בסיועת אחיו שבאמעריקא. כאשר קבלו בוודאי ג"כ בפסח העבר. עכ"פ וואן הבח' אחיו הלומד בק"ק פ"ב¹⁵¹ עטוואש פארטיקלאר בקשה לאחיו האט קן ער אליהם באריכות שרייבן ואצלך ביא שליסן הבח' כ"ה משה הנ"ל ווירט מיר הפ"מ כאן אי"ה צאהלין במסירת הכתב לידו אויך קען איך זולכש וואן הבקשה ווייט אצלו רקומאנדירן אי"ה.

וואש דוא שרייבשט בעסק מ"ומ בני כ"ה משה כ"ץ שי' קומיסיאנט זיין זול להקציני' המפורסמי' האח' בני המנוח רמ"ש ז"ל ומשותפם. ווייל רגילתך צו שרייבן איך בין אללי אן שלעג דוחה בקל. האבי מיר לזין אן גלעגן זיין לזוכה בענין זה עם הק" ר" יאקב ראטרדם הרגיל מאוד בקומיסיאהני לשמה והקציני' המשותפי' הידועי', ר" ליב הז ר"י שוסטר ועלה בידנו קומיסיענער אין אושטינישע סחורת שטיט פאר הטרחה, אבר אין סחורת של צמר ער טהוט צוואהר ג"כ בסחורת של צמר עבור בני' של הקציני' המשותפי' ר"ל הענא וגיסו, אבר שטיט ניט פאר הטרחה, רוב הסחורת שקונים הסוחר'י שמה שרייבן זיא זעלבשטן משמה לפאפריקאנטן שבמדינה זו וואש הקומיסיענער לפעמי' לשמה גשיקט ווירט מוז הקאמיסיענער כאן במדינה זו קרעדיט האבן ווייל הסחורת אללי אויף קרעדיט ששה חדשים ויותר פאר קויפט ווערדן, וטרחה יתירה מיט שפעדירן מהמדינה לכאן שיקט ומכאן לשמה או רעקטו להמדינה צו אורדניהרן לשלוח לשמה, אונ' ניקש דא ביא צו פאר דיהנין זולת קומיסיאן וואש בקומט משמה, וואש דוא שרייבשט מן מבינות איזט שטות, וויא מאן מושטרן להמדינה שיקט וסחורת אורדניהרט זולכה שיקן זיא, האט איינר שמה שטות גזאנט מאן כאן מן שווינדלרש קויפן זאלכש איזט

^{149 a} עיי' נדרים דף מ' ע"א.

¹⁵⁰ ר"ת: ודי בזה לפי שעה.

¹⁵¹ פרעסבורג.

אחת ל'שבעי' שנה. ואז איזט זולכה סחורת ושט (?) שמה להסוחר ניט דיהנליך מן שווינדלרש מוז כאן איינר קויפין דער הסחורה תכף לאמש' שיקט גוטי אונ' לומפי סחורה ביחד ובאמש' זיין שווינד לייטין דיא זולכה תכף צו געלד מאכין. משא'כ לסוחר קבוע שמה צו שיקן איזט קיין דרך. בכך קומיסיענער מן סחורת צמר דיא בענגלאנד פאפריצירט ווערדן מוז איינר זיין הרגיל עכ'פ בשילוח סחורת הן אושטינישע או סחורת של צמר אונ' דער זעלביגה מוז כאן פאר קומיסיאנט מפורסם זיין כמו הק"ר ר"י הנ"ל או שארי אנשי' הרגילי' בזה.

עמוד ב".

וואן הבח' כה' זיסקינד בן יעקב שלאס שווינד אבגרייזט משמה אל תתן מורך בלבב בני משפחתו שמה. אמנם אם עדיין הוא שמה איהמע צו זאגן שהק"ר כ"ה ליב בינגא דורש בשלומו. ומסיף על כתבו שקיבל ממנו הנכתב כאן עי"ט שני של פסח העבר דאש זייט איזה ימי' ווידר שטארק גריד ווירט דאש אצל פארלימענד יר"ה ווידרום מחודש ווירט מיט דעם בעסין כמו בשנה העבר גוועזן איזט. בכך הברירה בידו אויב דאך לכאן קומין וויל או לאו. עכ"פ וואן זיך רעזולפירט לכאן צו גיהן אי'ה זאל זעהן דאש אין זיין פאס דעם ער משמה משררה יר'ה מיט נעמט עטוואש מעהר היניין גשטעלט ווירט אלש זונשט נור איין גונד פאס רק להוסיף בתוכו אם אפשר שהוא שיטין יוד משמה והולך לכאן לקנות סחורה והוא סוחר, עכ"פ בל תאחר להודיע הדברי' כהווייתן אליו אם עדיין שמה ואם כבר הלך לדרכו שתיקותך יפה מדיבורך וכו' וה"י צליח דרכו.

וואן לכאן אי'ה גיהט או גאנגן איזט צפיתי אי'ה לקבל על ידו דען מאנטיל. ואם לאו בלי איחור ע"י אורדר שלי בכתבי העבר. איך בין גווארטיג בשביל מאן דהוא כאן לקבל מאב"ד דמדינת ווירצבורג בשביל ירושה סך שני מאות זהובי' או דבר מה וויניקר. וכבר שלחתי לאב"ד הנ"ל קוויטונג ופטורים מקוימי' ממני. אונ' דא בייא אורדנירט לשלוח סך הנ"ל לידך עבורי ושיהא קבלתך בקבלתי אם תתן קוויטונג מידך על הסך שיומסר לידך אי'ה בכך באתי להודיעך באם דיר זולכה קבלה אופערירט ווירט לקבל עבורי וליתן קוויטונג בשבילי ולאחר שתקבלנו לידי צו שיקן ע"י אסענג" ממאן דהוא שמה הסך במלואה. ולא תנכה החשבון שבינינו. בלי איחור רגע אפי' וואן מיר קיין תשובה

שולדיג ביזט. עקספרעסי בשביל כך לייחד כתב אלי הפ"מ¹⁵² בקומי איך כאן בצאהלט.

ומלבר זה הנני חוזר על הראשונות בעז"ה עסק הנובי" י"ץ ושכירות הבית שבינינו גומר צו זיין בלי התרשלות כרי פ"א דיזוש אויז דעם קאפ' בקומי, אונ' דוא בטוח זיין זולשט וואן פאר שכר טרחתך בקומשט ותו לא מידי רק חי' ושלום מאד"ה וממני אחיך ד"ש ומבקש טובתך הק"טעבלי כ"ץ שיף.

בני הבח' כ"ה משה כ"ץ שי" ד"ש ונהנה מאוד מאיזה שורת בתוך כתבך המיוחד' לו לשמו כה"ג גיסתך הבתולה מ' מינדל תי' ד"ש. לאחינו משה שי" ואחיותינו וי"ח שי" ותי" ד"ש.

לפי כתבך בתך ריזכה תי' שותא דינוקא וכו" ^{152 a} ממני, וואן ערשט ע"י לכ"ה זיסקינד הנ"ל בחזירתו לשלו' עטוואש שיקן זאלט, זא וועלט זיא פשיטא טעם לדברי' האבן. קען אבר לפי שעה ניט ממציא זיין וואש זולבש זיין זולט.

הכתב מן כ"ה משה מונק מפורי' העבר קבלתי לרצון והנני ד"ש.

Letter V.

ב"ה לונדון י"ד אלול תקמא ל'.

המחיי" חיים יכתוב ויחתום לאלתר לחיים לאהו" אחי הדיין המופלא כמהורר מאיר כ"ץ נר"י עם זוגתו גיסתי היקרה מרת מאטה ת"י ובתם ריזכה ה"י, ולכא"לש א"ן.

כתבך מכ"א העבר קבלתי ובדברי תורה אפתח שהאמת אתך להיות שאיני רגיל בדיני ממונות פה הטו"חמ טפל, וגם כמעט הטו"יד והטא"חי ורובם קשות (קושיות) בדיני טאה"ע כאשר כתבתי לך זה כמה, בהשקפה ראשונה הי' נראה בעיני להודות לדבריך בכל. אמנם לאחר העיון מצאתי להעתיק אליך בדף הדבוק מה שהעליתי בעז"ה בדינין האלו, זיל קרי בהו.

ואחר עמוד התורה הוא ג"ח וצדקה באתי להודיע בזה שתשלח

¹⁵² = הפאסטמארקע.

^{152 a} עיי' סוכה נ"ו ע"ב.

- II עבורי בלי איחור אי"ה לדודינו רז"ס לפיורדא י"א זהו"
 יו"ד הנ"ל לחמותך ת"י אסענגא עליך איבר שיקט אן ברענגר
 25 האסענג" סך כ"ה זהו"
 18 לאחינו משה שי" תתן עבורי סך ח"י זהובים
 לא" משה טרום ז"ל וא" משה פלאטין ששניהם כתבו אלי ע"י
 2:30 הבח" ר"ז אופנהיי" להראשונה א" ר"ט ולשני" א" זהב יחד
 לגיסא¹⁵³ לאורדר כ"ה אברהם ב" כהי" עליך אסינגהרט סך
 י"א זהו"
 II לך לשמך ולשם הקצין כה"רר ליב ס"גל סך כ"ה זהו"
 25 לגיסי כ' חיים סג"ל תשלח עבורי ה" זהו"
 5
97:30 ס"ה

משנה העברה החשבון שבינינו מ' שט"ח של משה בלאך, ופ"ח
 מן ר"מ או"ה

לפי כתבך מי"ט תמוז 43:36 לפי כתבך מל"ו

2:6 למב"י גיט אב

מיחאל כהן אחר ניט' י"א חדש
 ר'ט לטרחתך

95:24 רעשטירי לאחי ש' סך 35:35

79:II

מזה שלמת עבורי אסענג' 28:45
 לר"י אלטרט' ז"ל 77:5

לפי כתבך מו"ך אייר רעשט: 2:6 ותקבל אסענג' הכרובה פה

לאחותינו אסתר ת"י. . . II: = ותודיעני וויא פיל דאפיר

י"ט סיון לאורדר כ"ה בקומין כדי זה לעומת זה צו

אברהם מניסא II: = נאטירן

לאלופי' גובי' י"ין 26:20

77:5

ואחר הג"ח והצדקה, עבודה זו תפלה לדו"ר בשמי לש"ב הק"ה
 המפורס' כה"רר איצק שפייאר יצ"ו שהשיא בתו תי" למז"ט דעם זעלבן
 עם אחיו וחתנו הקצין שי" בשבילי אב צו שטאטין, וכו"חט אן צו ווינשן.
 ויתר הדברים אין לי להוסיף על כתבי מב" אב. אסענג" שלו מסך י"א
 שילינג עדיין ניט גמעלדט אצלי.

¹⁵³ לגיסא = to Giessen.

מה שהוכיח אותי מ" ראטרדם. כבר כתבתי לך, קיין ערנשט אצלך גזעהן, וראי" לדבר משמה קיין פעולות גטוהן הושט. שנית לולי הסבה שאירע להרב ד"קק אמ"ש ג"כ כתבתי מי יוכל לעמוד נגדם. שלישית. מ" המלחמה שבין הולאנד ומדינה זו הפושטין אינם הולכים כתקנם. וכמעט שנתידע אלי שהרב ר"ל מה"ש לא יבא. תכף בפאשט שלאחריו שמעתי שקיבלו הרב מעמדן. ובוודאי הי' אצלם. . . (איזה?) כוונה על המהירות ודי בהתנצלות הלזה.

פאלגט אסענג" מסך ח" ליטרות י"ב שילינג על אחד בשמו הקצין כהר"ר יום טוב ב"ה נתן מליוורנו, דיזור איזט קרשפאדענט מה"ק כ"ה ליב סג"ל מכאן, וכתב אליו לכאן דאש שמה ביריד זיין ווירט, בכך ווירשט חוקר זיין, ווירט פשוט צו גפינדן זיין אונ' ווירט אי"ה בלי איחור צלין. גם זאלשטו איהם בשם הק" ר"ל סג"ל זאגן דאש ער אן איהמע לשמה גשריבן אונטער זיין אדרעס. זול אצל פאשט אמט או יהודי פאשט טרעגער נאך פראגן ויבאו הכתבי" לידו. ווייל נין דיזור קורשפאדענט מהק" ר"ל סג"ל קנשט איהם מכנים לביתך זיין פ"א מפני הכבוד, ולדבר טוב מהק" ר"ל סג"ל, אחד מבניו של הק" כה" י"ט ה"י ווירט ג"כ שמה זיין ביריד ואחר היריד לכאן רייון אי"ה, בכך תמחול לשלוח לי חצי טוטצינד וויישי בוימוואהל קאפין. ניט גשטרייפט מיט אייניגה קולעהר רק פשוט וויישי. וגם קיין צאביל קאפין. וגם חצי טוטצינד שנופ" טיכר דיא גוטי פארב האלטן אין וועשין, מוזן שמה גוועשן אונ" גזאמט זיין, ניט אחר הזול צו גיהן, רק סחורה יפה כנ". אונ' ניט פיל וויישי מחמת שנובטובאק, וגם תשלח לי על ידו הספר הקטן שהספיד הג"אבר דק"ק פראג את הקיסרתה, ווירט ניט מסרב זיין מלהביאם לידו.

זולת זה אין אתי כהיום ומעין הפתיחה יהי" הכתיבה והחתימה לאלתר לחיי" לך ולזוגתך ובתכם ה"י ולאחיות" המהוללת יחיו ולאחינו משה כ"ן ובני אחיותינו ה"י בכלל ולגיסייך שי" כ"ד אחיך הד"ש הק" טעבלי כ"ן. (ממני ומבני הר"מ שי") : "להרר משה מונק ד"ש וכוח"ט, כחבו קבלתי לאטרע מתחלת ט"ו נאוועמבר, פאלק זאל עבורו אינשוהרן ואני אחי" אי"ה המשיגה אם ישלח מעות לידי לזמנו, ועל העסק עם גומפיל מאיי הי"ד ערווארטי ממך מה נעשה בדינו של אשתו מהרב או מב"ר. וגם אם נעשה משפט מהשררה יר"ה על המעשה הלזה.

איך גריסע א"פ אונד ווינשה עבנפלס דיא ליבה פאמיליע כו"חט באוות נפשם הטובה ממני הק" גיסתו ואחותם הק" מינדל בת המנוח כ"ה זלמן זינצהיי" סג"ל זצ"ל.

עמוד 2

עש"ק: דיא וויישי קאפין מוזן זא וואהל אלש דיא שנופי טיכר גוועשין זיין מחמת המכס כאן. גם אל תשכח בתשובתך החזקת טובה וחינות להק" כהר"ר ר"ל סג"ל עם אשתו ובניו להבטיחו על התורה ועבודה זו תפלה לשמם.

הבה" הקצין כהר"ר ליב בר"ש פ"ב מווינא איזט חתן ווארדן עם בת הקצין המפורס" ש"ב כהר"ר אהרן ג"ש פה.
ווען דוא בתשובתך אלי, אליו ד"ש ומו"ט שרייבן ווילשט הרשות בידך.

Letter VI.

ב"ה לונדן י"ד אלול תקמ"א ל".

החי לעד ולנצח קים, יכתוב ויחתם לאלתר לחיי", לאהו" א"ד התו" והרבני המופל" מהו" מאיר כ"ץ נ"ו עז"ק היקרה ת"י ובתו תי" א"ן" ולכאל"ש.

באו ימי הפקדה באו ימי השילום לשלם פרים שפתינו, להרים אל ה" קולינו. שבעת רצון יענינו וביום ישועה יעזרינו. גם אנוכי זבחי שלמים עלי לשלם נדרי להעתיר אל ה" בעדו ובעד ביתו להתיות על מצחם תיו חיים משפטם וגורלם יצא כצהרים, וינהלם על מבועי מים, על כן ביופיו תחזינה עינינו חזה ציון קרית מועדינו מקום רחבי ידיים, זאב וטלה ירעו כאחד לא ירעו ולא ישחיתו, מוכיח בשער ודובר תמים יתאבן. תוכחת בעד ישנאו ויתעבבו, רועה אחד ירעה אותם, לב כשר (בשר) ורוח חדשה יתן ה" בכל המורדים ופושעי יי" ועוובהו, לבילתי סר ימין או שמאל רק יחזקנו ויאמצנו, כן יאמר אלקי אמן.

איך קאן ניט אומהין למעלתו הרמה נר"י טהיילהאפט צו מאכין מהכבוד דען וויר באלו הימים פה נהאבט
המאורע מר" איצק חזן כבר הודעתוך את כל ונוכחת שלקחו ממנו נזרו ולא יעלה ולא יקום במקום קדשו, אמנם כעת יום הכסא יבוא לטובה רבי" קמי" לדבר טובות עליו להחזירו עטרו ליושנה, באמרם מה שלא טוב עשה בעמו¹⁵⁴ הי" ע"י איש חיי" פתה אותו וגו" וכנהנה רבות (רבים?) מהפכים בזכותו. וכדרך הקהלות בדבר הזה לקחו מעשה אבותיה' בידיהם, מה שזה אוהב זה שונא. וזה אומר בכה וזה בכה,

צ"ל בעצמו¹⁵⁴.

אויך זאגען וועלכע ווערר אוהב נאך שונא. להיות ר" איצק עדין עצור ולוא יוכל לבוא כשאר בן חורין, ווייל ער באנקראטיהרט האט וכפי נימוסי המדינה, מוז ער האבן רוב בנין ורוב מנין מב"ח שלו וועלכע ער שוועהרליך אונטער איין הוט ברינגן ווירט. . . עש וועהר קיין כבוד הקהלה. אלליין דיזור אויז זאין פינד קיין שטאט. אונד איזט פרעגבליך. רק השאור שבעיסה מעכב ^{154a} הוא אותו איש אשר בכל עת מרני" ישלח ולא ישן אם לא ירע ¹⁵⁵ וגו' ואלוקי" יבקש את הנדרף ¹⁵⁶ היתה עצה היעוצה מקהל י"ץ שר"א הנ"ל יקה גליון גדול ויכתוב בחרט אנוש מה שנקרא מעמאריאל למהר להביא הכתב לפני השופט ונכתב בתוכו שקהל י"ץ שמרה פקודתו ובעבור ה"ח נענש. אמנם כעת הזמן גרמא שלא יוכל לעמוד בו, ומבלעדו לא ירים איש את ידו ורגלו ועל פיו יצאו ויבואו לכן שיחר פניו שהפה שאסור וכו' ותשובתו עדיין נשאר ממנו (?) ועל תשובתו ובינתו הקהל נשען. ונראה אי"ה מה ששייב לטובה.

ואסתום (ואסיים) במה שפתחתי. ה" יצפון לישרים תושי" ומנן להולכים תמים קרנינו ירים בקרני ראמי" והי" זה חי" ושלום מאל חי עולמי". כה יעתיר ב"א וכו' כל הימי". 'הק" משה בלא"ה הרב הנאון מהו" טעבלי שיף כ"ץ י"צ לכל בני משפחתינו ה"י בכלל דש"ה וכוה"ט ובפרט לרודתיי יחיו עם בניה" ישמרם ה" ודודי הבח" משה שי" פבש" גיסיך ר"ל ור"י סג"ל גם המה יעמדו על הברכה, ומה" ישאו ככה אלף פעמי" אמנן.

Letter VII.

ב"ה לונדן ד"ב אדר תקמ"ב ל'

לאהו' אחי הדיין המופל' מהורר מאיר כ"ץ נר"ו עוג" היקרה תי' ובתם הי" שלו' עד עולם.

כתבך מן ויו אדר קבלתי והנני חוזר על הראשונת כלך מדרך זו, אין בי להיות לך לעזר די לי להפקיע את עצמי, נון איזט מיין הכנסה זא ווייט גמינדרט, דאש בדוחק שוה בשוה אויז קומין טוהי, וכל יום מתמעט והולך ולולי דבר מה מרווחי' מקרן אצל חוב המדינה לא יכולתי עמוד, מ' ההוצאות שמתגבר' מ' המלחמה במסי' גדולי' וכבד' וכדומה,

עיי' סליחות לשחרית של יום הכיפורים: יי' אלקי צבאות וכו' "ומי" ^{154a} מעכב שאור שבעיסים".

משלי ד" ט"ז ¹⁵⁶

קהלת ג" ט"ז ¹⁵⁶

מיין אורדנטליך סיפוק £200 לשנה בקום ג'כ ניט לזמנו, וכל רגע ורגע האבי צו גיוארטיגן לפחות ממני. אבר ניט כמו דסלקא אדעתך, שאין דעתי נוחה ומעורבת עמהם, אדרבה, יש לי מוקירים ומנהיגי רבי' החפצי' בטובתי קצרה של דבר תמהני עליך, וויא בילדשטו דיר איין צו פאר שטיהן מקום אשר לא ידעת אתה ואבותיך, זא וויניג איינר במדינה אחרת פאר שטיט, דיא מלחמה פה והנהגת הפארלימענד יר"ה וכה המלך יר"ה. . עבן וואש עכשיו שמה בצייטונג שטיהן ווירט מחמת שלו' עם אמעריקא. . כמו כן פאר שטיט קיינר הנהגת הקהלה וההכנסה וההוצאה, הרוצה להאמין יאמין והחדל יחדול, ואם כאשר לא אקוה ישאר טינא בלבך, אני אומר חלילה לך מחטוא וד"ב, ובאותו ענין הנוגע לעצמי מוז דיר דבר פלא שרייבן. זה חודש ימי' קבלתי מכתב מפראג מהרב ובית דינו בעסק מה ובתוך הדייני' מצאתי ח"י מהו' לוי פנטו והבנתי שלא הלך למדינת ווירצבורג, וע"ז כתבתי עש"ק ט"ז שבט לפ"ו הק"ר משה רופא שהוא מכירי וקרוב ונתרחק ותוכן כתבי הי' לפי ששמעתי שעדיין לא בא שום א" משלשה רבני' שקבלו במדינתו לשמה להודיע לי הטעם. אם נתקלקל מעמד הרבנות שאינו מספיק עוד לרב כבשני' קדמוני' וכתבתי לו באם שידבר אלי דבריו אזי אבא בארוכה להראות לו מקום מאחד שרוצה לקבל הרבנות ויהי' לכבוד ולתפארת המדינה. והראתי לו באצבע שא"לי כתיב, ותוכן הכתב ותמצית הדברי' הי' ביפוי לשון ומליצה. וקווייתי לתשובה נכונה, וביום א"ך"ו שבט באה השמועה לכאן ראש הפאקעט שהלך מכאן עם בריבן מט"ז שבט, משונאי' אן גנריפן אונ' גנומין ווארדן. והכתבי' הושלכו לי, ואמרתי בלבי מבלי לדחוק את השעה אולי סימנא מלתא שהכתב הלך לאיבוד ולא חזרתי לכתוב שנית, ועתה בבוא כתבך אלי וכתבת בתוך החידושי' ווירצבורגר רבנות עדיין פיקאנט, אמרתי לאידך גיסא אולי סימנא מלתא, בכן ערווארטי ממך תשובה נכונה ודעתך ועצתך על זה ומבלי להפליג הדבר, ולה" נתכנו עלילות מה שטוב לי ולבני שי' לגוף ולנשמה. ואידך פירושא זיל גמור, ואם דעתך נוטה לזה הנני נותן לך רשות לפעול בעזה"י פעולת אדם כפי כחך ולהודיעני.

החקירה עכ כ' דוד פירדלאנד ז"ל קן איך גאר וואהל דארויף משיב זיין זה שני' רבות בעודנו בחיים הגאון מוהרר"ג זצ"ל אב"ד דמדינת מעהרין ¹⁵⁷ הי' לי כתב המלצה ממנו הבדלו חי' וגו' לדבר עם דוד ז"ל

הוא הגאון ר' גרשון פולין אב"ד דמדינת מורביה משנת תקי"ג עד ¹⁵⁷ תמלכ. עיי' ס' תהלה לדוד לזכרון הח' ר"ד קויפמן דף 379 ; וס' קורות העתים סי' כ"ה.

הנ"ל אודת א" אחיו כ"ה יעקל ז"ל ובני' וכתבתי באותו פעם למדינה מקום תחנונו של דוד ועשה פעולה ישלח על ידי סך מה לנ"ש, ומאז ידעתי את האיש ואת שיחו ואח"כ בא לכאן בן אחיו כ"ה יעקל ז"ל ושמו כ"ה יצחק ושלחתיו להמדינה עם כתב המלצה לדודו הנ"ל, ולא הטיב עמו לפי דבריו כראוי והבטיח לו בכל פעם שלאחר מותו יניח לו סך מה כדין יורש דאוריית' וכאשר דוד זקן בא בימי' קרוב לשמוני' ונעשה סני נהור ונכסי' הי' מתמוטטין גם הנשאר לו הי' כנכסי רטושין¹⁵⁸ מבלי משניה שהי' כאן בארץ נכרי' מבלי קרובי' ומעולם לא הי' נשוי לאשה (נכתב בצד היריעה: "וירא פן יצטרך לבריות") עלה על דעתו ליתן כל אשר לו לאיש אחד במדינה שהוא אמיד¹⁵⁹ וקשר התקשרות בדא'ה עם האיש הלזה שהוא מחויב ליתן לו די מחסורו כל ימי חייו, וגם לאחר מותו מחויב ליתן לב"א הבח"כ"ה יצחק הנ"ל סך מה. נגד זה החליט מאותו יום כל אשר לו לאיש הנ"ל ואחר זה הי' חי עוד איזה שנים ובמותו הי' להבח' כ"ה יצחק הנ"ל סכסוכי' עם האיש הנ"ל שלא רצה ליתן לו האיש הנ"ל מה דפסק אנפשי' בהתקשרות, ולפי שכ"ה יצחק הנ"ל הי' רוצה לעשות שידוך כמו שבאמת תקף לאחר הקבלה נשא אישה התפשר עמו. ע"כ המאורע. ומעתה נפל פותא בבירא לבקש שום קרוב או רחוק סיוע מעזבון הנ"ל.

(בכתב מאוחר):

עודני חייב להשיב לש"ב הקצין המפורסם ידידינו כה"רר איצק שפייראד יצ"ו על כתבו הממולא בכל מיני מעליותא שקבלתי זה חודש ימי' והנני דורש שלומו עם כל הנלוים אליו. מה שכתבתי בכתבי הראשון דאש בלי פראפיסאיהן טוהן ווירט, איזט ניכט אנדרשט צו נעהמן רק מרוב חביבותיגו זה לזה. כי ידעתי שכל חפצו לא ישוו נגד אחד מאתנו דעם אנדרן איין גפעליגקייט צו ערצייגן וכמוי' פני' אל פני' ¹⁶⁰ וגו' ומדי דברי בו חשבתי שימחול על כ"ה ולא יהי' לו למשא ולטורח דעמו כהיו" הזה לאחי ידידנו הרבני כמוהרר מאיר כ"ץ נר"י אסענג" שיקע על מאן דהוא מסך 7 £ יכול להיות דער זעלביגה ניט לשמה קומט ביריד הסמוך. ובאם כן הוא ערוזכי העפליך לש"ב הק"י שי' לאחי שי' בשבילי fl. 75 צו געבן על חשבונ' אונ' רא מיך ש"ב הק"י שי' לענגשט מיט fl. 66 קרעדיטירט, ביטע נעגשטענס סך הלזה עלי צו אסיגניהרן. ובאם דיא fl. 75 ג"כ לאחי

¹⁵⁸ עיי "ערכין כ"ה, ב"מ ל"ח

¹⁵⁹ ב"ב דף ח"י, כתובות מ"ט ע"ב

משלי כ"ז י"ט ¹⁶⁰

ש' צאהלין מוזטי שניהם ביחד שהוא fl. 141 צו אסינניהרן וטרחתו צו עקשקוירן. וכפי הבטחתי אייניגש חידוש צו איבר שרייבן אַ גאווערנא, מעלדי ראש אתמול גרוישי באנקיערש ושמש Brown & Collinson לפליטה, דער עולם נמולי' וא"נ האבן נאר פיל פון זיא גהאלטין ורבבות אין האנדן גהאבט, וויילין כמנהג כאן דער עולם אצלם קאסא גהאלטין. אונד מאכט דעם עולם מורא גדולה אויף אנדרי גרוישי קאסיררש הנקרא' כאן באנקיערש ויש לחוש חברא חברא אית ליה ולפ"ש קצת שטיל צו זעצין ראטרדאם.

ומעתה נחזור לדברי' שבינינו פולגט היר בייא אסענג' מהק" כ"ה ליב סג"ל על כ' אשר ב"ה י"ט מליוורנו מסך 7£ דיזור איזט זה חודש ימי' מכאן אב גרייזט. והבטיח ליריד הסמוך שמה זיין ווירט. ואע"פכ ליתר שאת עיניך יביטו מה שכתבתי לש"ב הקצין הנ"ל.

ע"ב.

גם פולגט אסענג' מהק" כ"ה יאקב ר"ד על הקציני' כ"ה יעקב האמל ומישותפי' מסך 7£ וואש דאפור גצאהלט בקומט בתשובתך אי'ה אן צו צייגן גם ווען כ"ה אשר הנ"ל דיא 7£ צלין זולט בבואו שמה כמה דאפיר בקומן צו מעלדן אי'ה בתשובתך אי'ה ווירשט ג"כ עד פרוטה אחרונה מכון מעלדן ההוצאות מהס"ת להסופר ומגי' כדי לה"ק כ"ה ליב סג"ל מכון זאגן קן ולחשוב עמו וקוויטונג מהסופר ובעל מגיה לירי צו שיקן.

החשבון שבינינו איזט פולגנד לויט כתבי מכ' כסלוי העבר נשאר בידך ממני לאחר ששלמת להסופר שלשים זהו" 40 : 4 fl.

קומט עכשיו דערצו מה שתקבל בשביל שני אסענג' הנ"ל או fl. 75 בשביל אסענג' של כ"ה אשר.

וע"ז מוז איך דיר צאהלין עוד ארבעים זהו" לשכר הסופר

מלבד שכר בעל המגי' שלא נודע אלי כעת . fl. 40 .

דיט' שלמת כבר לחמותך גיסתי תי' אסענג' מסך י"א זהו"

וי"ט אדר ווירט איהר אסעגניהרט עליך סך 7£ זהו" : 36

דיט' כנהוג בשביל חצי שנה לך לשמך ולישם הק" כ"ה ליב

סג"ל 7£ זהו" 25

דיט' לב'ה אברהם גיסא עליך אסינניהרט י"א זהו' כהיום הזה

דיט' לדודנו ר" זעקל סג"ל בשבילי י"א זהו" צו שיקן ולאחינו

מישה ש' בשבילי צו געבן ט"ז זהו' יחד 26

הרי מלבד שכר המגיה ס"ה fl. 138

ובבקשה ממך לעיין היטב בחשבון הלזה ותשובה נכונה בחשבון מכוון
 איין צו שיקן ווייל איך גרויסיר נהנה בין פון אורדנטליכקייט.
 מחמת דיא שפעדירונג מהס"ת לכאן בשביל שהק" כ'ה ליב סג'ל
 טרוד בעסקיו איזט, . . יעטצי (?) זאגט ווייל כ'ה אשר בוודאי ביריד
 הסמוך שמה זיין ווירט, וויל דעם זעלבן הרגיל בכך דיא שפעדירונג
 אורדניהרן, גיהט אונש ווייטער ניקש אן דוא קענשט הס"ת בידך האלטין
 ביז פערנרי אורדר ממני בקומשט אי'ה או מהק' כ'ה ליב סג'ל לכ'ה
 אשר הנ'ל.

ראש אברהם עמריך לפלטה. כמדומה לי הוא בארזים נפלה שלהבת,¹⁶¹
 אמנם אני מבחין ממעמד הסוחר' שמה ובחדא מלתא צריכנא לידע שותא
 דאינשי על האנשי' הגדולי' וואו הירבייא אסענג' עליהם פולגט, דהיינו
 אבותיהם.

פולגט הירבייא כתב לא" כ'ה ליב צונגן ז"ל מבן חורגה הק" כ'ה משה
 צונגן לידה ממש צו בשטעלין, וויילין ח"כ בתוך הכתב איזט.
 כ' זנוויל בן יהודא מלייניך האט נון בריב מהק" כ'ה ליב סג'ל
 אצלך צו מעלדן בשביל י'א זהו'. ווען זיך מעלדן ווירט נגד קוויטונג צו
 בצאהלין דיזי י'א זהו' זיינן שוינד בינינו ברעכנד לויט כתבי מכ'
 כסליו העבר.

ובאמת אחר כתב הלז' איזט דאטירט ק"ב אדר. אמנם קדמתי יום
 אחד לפני זה לכתוב באשר ק"ב הוא יום מיתת אבינו זל'הה ויהי' לי
 חולשא מחמת התענית ונערת הלילה, ומדי זכרי אבינו זל'הה להיות לו
 לזכות לנשמתו באתי להשיבך על ד"ת ברך הדבוק, וכמו שנאמר שמה
 לפרפרת בעלמא כתבתי תירוץ על קושייתך ועשיתיו תפלי ולעיקר עשיתי
 קשיתי מאחר שראיתי שאתה עוסק במס' ב"ב ות'ל יש לי בפרק ראשון
 דמס' זו מכמה עידנין בלמדי עם תלמידי' בק"ק ווירמש דברי' טובי'
 ונחמדי' לפע"ד דהיינו ישובי' על כל מה שמקשי' תוס' על פירש' ומענין
 לענין. ורציתי להעתיק לך איזה חידוש. והדברי' רובם ארוכי'. והוצאתי
 מתוכו חידוש אחד והעתקתיו.

ובזה אצא באמירת שלז' מאד"ה וממני אחיך הד"ש הק" טעבלי כ'ין
 שיף בני הבח' כ'ה משה כ'ין וגיסתך היקרה מ' מינדלה תי' דב"ש ובפרט
 לזונתך גיסתי תי' אפשר ווירט גיסתך מינדלה תי' זעלבשטן איזה שורת
 שרייבן. לאחינו משה שי' ואחיותינו והנלווי' אליהם יחיו ד"ש.

עיי' שופטים ט" ט"ו¹⁶¹

(כתיבת מ' מינדלע): ליבה שוועסטער לעב שמחתי מאוד ומאוד דש
דיך בעזה' ווידרום בקו הבריאה בפינדשט ה' יתן ברוב רחמיו וחסדו
ואלכש צו קונטינואירן לאי'ט בשובע שמחות זו תפלת אחותיך.

מינדל בת המנוח כה"ר זלמן זינצהיי' סג"ל זצ"ל
לניסי ידידי התו' נר"ו ג"כ אינשפעצייא ב"א ריזכה תי' וכה"ג לאחי ר'
שמעון שי' וכמובן לאחי יוסף שי' פר זיכרה יחד דש קיינר מעהר ממני דש
וואהל ערגיהן דער פריינדשאפט בזורגט איזט אלליין איך קן ניכט מעהר
אלש מיין מיינונג אניעצא אפערירן ה' יתן איך בקרב זיא דאריט (דאש?)
ערצייגן זאל קענין דש איזט איין תשובה לאחותי מאטה תי' וואש זיא
קירצליך אונטער דיא פערד גבראכט האט.

Letter VIII.

ב'ה לונדן ק"ק כ' אלול תקמ"ב ל'.

I (ע"א).

המהפך כחומר חותם לחיים טובים יכתוב ויחתום לה' אהו' אחי הדיין
הרבני המפו' כמהו"ר מאיר כ"ץ נר"ו עם זוגתו גיסתי היקרה המהוללה
מרת מטה תי' ובתם ריזכה תי' גם יתברכו בברכת כהני' וברכת השני'
יכתבון לטובה אחיותינו המהוללות תי' וצאצאיהן ה' ואחינו משה שי' כלם
יעמדו על הברכה.

יו' ג' העבר הגיעני תשובתך. מחוסר זמן הכתיבה . . . על כתבי מי'ב
מנחם מה שהארכת למעניתך בנדון הידוע וש"ב ידירנו הק" המפורסם
הנדיב דחיל ורחים ומוקיר רבנן כה"ר ר' איצק שפייאר יצ'ו מלא את
דברייך, בדף הדבוק אייחד הקריאה של חבה ותשובה אליו רק בקצרה
בנתינת חן על כל הטורה שטרח בשבילי, ודעתי בגוף הדבר אגלה בזה
כמבואר וגם אליו נאמרו הדברי' הללו מה שכתבת שנשתנה אופי' של
הקהלה בתורה ויראה וכו' צר לי על המקום וקברות אבותי, ולנדון דדן
מה שכתבת שכמה ב"ב ממאסי' לפי שעה בדירת הקהלה וקובעי' דירתם

במקומת הסמוכי יכול להיות שגם אנוכי הייתי כאחד מהם אם הי' כעת מושבי שם, אמנם גזירה עביר' דבטלה ובשביל כך מוטל עלי להשגיח שלא יהי' הפסק לדורת חזקת הקהלה, ואעבור לפני דברך כבני מרון. מ"ש יורשי ר"מ שייאר הכל כבר באו על החתום. צריך חקירה על היורשי' שדרי' בקהלות אחרי' ויש להם חזקת הקהלה שמה, ר"י קולפ' כתבת שכבר חתם טבא הוא וכה' לימא בן זלמן הז כתבת שהוא דבר פשוט שיחתום, וגם בעיני הוא כך, עכ"פ איזט ניט לאחר מעשה, ר"ד קאסיל חתן א" רז"ק כתבת וויל אונ' דערפ ניט חתמן. איזט אבר ברבות הימי' ניט מסופק צו זיין שיחתום וויל מיר ניט גפאלין מי יודע מה יולד יום. מ' האכזר הידוע דער אן שלאג שאחיו יחתמו שטר מוקדם אין דיא פירמא משותפת, שקרא לא קאי' ובפרט שהחשק עדיף דרכו נודע פאנגט גלייך משפטים אן, ומכ"ש ווען מאן איהם מנצח וויל זיין בדבר רמאות ווירט ער נור נאך מעהר פאר היצט מאכט זאלכש תכף אן הענגט במשפט מן העגלי קולפ' לא עשית שום פעם מזכרת כמדומה לי הי' ג'כ בע"ח אויב בשעה שקהל י"ץ דיר ע"ד חזקת הקהלה ערלויבט, פעלג החוב אצל קהל י"ץ מגיסי ר"ז ז"ל גטיליגט ווארדן. או נאר לך לבד לא ידעת, ואחר כל הדברי' האלה אם אמנם שדבריך מלאי' חכמה ויראה המצוה רבה לשבת יצרה וגם שלא תהי' עני' זאת לשוא שמרה (?) ברבות הימי', מה אעשה אבינו שבשמים גזר עלי שלא נתן בדעתי להסכי' עמך ומתלא אמרי אינשי איין מורא איזט איינום ניט אויז צו רידן. אעפ"כ זיינין מיר באלו הימים בעזה' ווייטר קומין במעשה ובמחשבה אלש אין כמה שנים. וזה יהי' לחוק בינינו בעזה' להבא פלייסיגה קורשפאנדענין בחלקי הסותר והבונה בעסק זה צו אונטר האלטין והבא לטהר מסייעין לו מן השמים שיגמור ה' בעדינו לטובה אוכיר'. עכ"פ מובטחני בך שאל תדיח דבר זה מדעתך לעשות כל האפשרות כי מאוד מעי המו על הדבר הזה לגמור אותו לטובה.

פולגט היר בייא אסענג' מהק" רל"ק על כ"ה אשר ב'ה י"ט מליזורנו מסך תשעה ליטורות שטערלנג דיא אסענג' איזט דאטירט כבר בחדש יולי, יען הקצין הנ"ל הלך באותו זמן חוץ לעיר הזאת ולא יחזור לכאן עד סמוך ל"ט אי"ה, האט מיר האסענג' צו ריק גלוחט, זולכה איין צו קאסיהרן אונ' מיר צו מעלדן אי"ה כמה דפיר בקומין הושט.

	ועל זה האבי אסיגניהרט יו"ר אלול לחמותך תי' בשם ברענגר
fl. 25	האסענג' כ"ה זהו'
	דיט' טוב אלול עליך אסיגניהרט לאורד' ה' אברהם ניסא
II	י"א זהו'
16	לאחינו משה תתן עבירי ט"ז זהו'
II	לדודנו רז"ס בפיוורד' לשלוח עבירי י"א זהו'
	לך לעצמך ולשם הק" כ"ה ליב סג'ל שלשי' זהו' דהיינו
30	הוספה על הנהוג חמשה זהו' בשביל טרחתך מהס"ת .
	לא" משה פלאטין ולא" משה טרום ולבת משה טרום ז"ל
2	יחד שני זהו' חלק בחלק לכא" וא ב" בש
95	יחד צ"ה זהו'

זה איזה שבועת קבלתי כתב מהק' ר"מ ב"ש סג"ל ותחתיו השיבני דודו כ' הירש הו' בהבטחה נאמנה שיעמוד לימינך, והק" ר"מ ואחיו אינו מן הצורך להזכיר שיעמוד לימינך, ור" מאדל כתב אלי שגם הוא גם דודו הנ"ל ידברו עם הק" כ"ה יעקב קן ואעפ"כ כתב אלי שאני אכתוב בעצמי להק" רי"ק פן יודע לר"י שכתבתי לגיסו כ"ה הירש ולא אליו וירע לו ולאחר שאכתוב לר"י ק הוא רוצה למלאות דברי אצלו. וכן עשיתי כהו' הזה וכתבתי באריכות ובבקשה יתירה להק" כ"ה יעקב קן ועשיתי מסגרת בתוך כתבי שכתבתי לר"מ כהיום הזה. ועוררתי לר"מ לקיים הבטחתו למלאות דברי אצלו, דינט לנאכריכט.

הפ"ת כבר קבלתי כתב מאושטענד' מראמבורג שמסר הס"ת להספן זה שלשה שבועות ועדיין לא בא וכל יום זו זמני' לבא.

מ' עסקי ברלין כבר נודע הכל כאן מנסיעת הרב מיטמה, ואנכי ראיתי העתק מכתב שהניח הרב שמה טרם נסיעתו לפתוח אותו ששה ימים אחר צאתו מן העיר וכפי הנשמע הלך לווינא, ומשמעות הכתב יפניו(?) מועדת לילך לעה"ק, גם ראיתי העתק מה שכתב הרב מליסא להרב דק"ק אמ"ש וגם העתק מדרשה אחת שדרש הרב דק"ק ליסא בנדון זה לארר ולקלל את ר'ה וויזל ולבזות אגרתו יטהדפיס, והדרשה הוא לישון צח מאוד וממולא בדברי יראה וחכמה שלא לפגוע ח'ו בכבוד הקיסר יר'ה ולפי משמעות הכתב והדרשה מהרב דק"ק ליסא כן עשו בפוזנא, ובווינא ע"פ ציוות החסיד המפורס' מהו' אלי' שרפו ברחוב העיר אגרת של ר"ה וויזל וגם נאמר שם שהרב דק"ק פראג בתחלה דרש ע"ז בפראג. אמנם כעת הוא מוכרח לשתוק בפומבי, ועושה מעשיו בחשאי להרעיש שארי

רבני הקהלות המפורסמות. ואחר הדברים האלה הוא מובן מעצמו שהרב דק"ק ברלין לא הי' יכול לעמוד במקומו והוכרח לצאת משמה, באם אפשר לשלוח העתק מכרוז שמה יהי' נוח לי לקבלו.

ובמה דפתחתי אסיים, שהשוכן בשמי שמים. יכתוב אתכם בספר הצדיקים לאלתר לחיים, וחיי' ושל' וברכה מאד'ה וממני אחיכם המתפלל בעדכם.

הק" טעבלי כ'ן שיף.

הטעם אשר כתבת דאש קיינים תחת כתבך לאזין שרייבן, לזוי איך לגיסתך היקר' הבתולה מ' מינדלה תי' בדיהנרן ג'ב ניט בעצמה צו שרייבן זיא ווינשט מקירות לבה, לכולכם כתיבה וחתימה טובה.

ע"ב

ב'ה

לקיים החוק בישראל מימיו ימימה, לעת תשובת השנה כל אשר בשם ישראל יבונה ישא תפלה ורנה, שלחיי' טובים יעלה גורלו בזה ראש השנה, גם אנכי מרחוק אקרא לשל' לו ולכל היקום אשר ברגלו, תהי שנה הזאת הבאה עלינו לטובה לזכות ולא לחובה, במנוחת שאנני' ובמשכנות מבטחי' תהי' מושבו וכחול ימים ירבה, זו משלי ברכת כהני' וה' יוסיף הברכה אלף פעמי' ככה, כחפצו וחפץ נפש ב'א וש"ב המוכן תמיד לטובתו לילה כיום כחשכה כאורה,

הק" משה בלא"א הרב הגאון מהו' טעבלי שיף כ'ן יל'י מפ"פ דמיין.

לזוגתו היקרה תי' ובתם תי' ודודתי יחיו והנלווי' אליהם ודודי כ' משה שי' שלום וישע רב וכוח"ט.

וע"ד הידוע האט א"א הרב נר"ו דעתו הרמה איבר שרייבן. אויף וועלכם מיך בציחה ואינני מסופק שיעשה כל תחבולת שבעולם להביא מהשבתינו הטובה מכח אל הפועל ושכרו אתו ופעולתו לפני ה'.

Letter IX.

ע"ג

ב'ה לונדן עש"ק כ' אלול תקמ"ב ל'.

שתא חדתא בכל מיני מעליותא וצנא מלא ברכתא, וסני חדוותא. לגברא רבא דנפיש בזכותא, תמך לדעסקין באורייתא, ה'ה אהו' ש"ב איש כלבבי אשר אהבתו בוערת בקרבי האלוף הראש והקצין המפורס' הנדיב

והנגיד רחם רבנן ורחיל חטאין כש"ת כה"רר איצק יצ"ו והאשה אשר נתן ה' עמך, ובניו כשתילי זתים אשר על ברכו יולדו גם המה יתברכו מהאל המבורך המסכים לברכת כהנים.

במה אכף ואקדם לשלם תודה וגמול על כל הטוב שגמל אתי בשנה הזאת בנ"ח שבגופי, והכל הולך אחר החתום שראיתי כל הטורח שטרח בשבילי ובשביל בני שי' ונתגלגל זכות ע"י זכאי בהתחלה לטובה בעסק הידוע ומובטחני בהש"י ב'ה ובש"הג. שזכותא דמר יהא גרמא שיוגמר הדבר בעזה"ל, אין כחי אלא בפי ולהרים קולי אתה ה' תן לאיש טוב ומטיב כל טוב סלה. ויתנהו לשם ולתהלה, לכתוב ולחתום אותו לחיים טובים וחדוה וגילה, ויראה בשמחת צאצאיו לאורך ימי טובים בתורה ויראה ועושר וגדולה אמן כן יאמר האל הטוב בשמי מעלה.

ובנוף הדבר שרא לי מארי שלפי שעה השלכתי אחרי עצתו הרמה אשר היא איננה כבאה מצעיר לימים רק כעצת זקנים, והארכתי בדבר הזה כהיו' לאחי ידידנו הרבני הדיין כמוהרר מאיר כ"ץ נר"ו דבר דבר על אופנו וזכרון א" עלה לכאן ולכאן. אך לאו אורח ארעא להיות סרבן לגדול כמוהו, ולזאת כתבתי הדברי' לאחי הקטן ממני בשנים והוא יפרש שיחתי לאהו" ש"ב ידידי הק" המפורסם שי' וימתיק הדברים בפיו לבל ילאה על כל הטורח שטרח בשבילנו ועדיין אני מסרב, ובענותנותו ואהבתו הרבה בטחתי שלא יהי' רצונו להעביר אותי על דעתי על שעה חדא, ובשביל זאת ח"ו לא ישליך אחר הדלת והמוזזה האהבה העזה, והמתחיל במצוה יגמור אותה כמבוקשי, אם יהי' הדבר באפשרי וה' יגמור בעדנו לטובה. וע"ד ירושת בני' של ליב קליף ז"ל כאן. עדיין תלוי ברפיון אם יזכו בדין ירושת אבי אביהם, ואף גם שיזכו. לא מצאתי מקום להציל מזה לבע"ח של אביהם, באשר לדעתי בערכאותיהם הדין כמו בדיננו להבדיל באלף הבדלות שאומרי' מכח אבוב דאבא קאתינא, ועוד חזון למועד וימי' ידברו לכתוב יותר מזה א"ה אחר החקירה לפי תומי מהאנשי' היודעי' טיב דיניהם, ואינו מן הצורך להבטיחו אם יהי' ביכולתי להראות לו מקום בזה, שבל אמונע לעבור אותו בכל כחי.

חולת זה אין בפי מענה אלקי' את שלומו יענה, ובזה ראש השנה יסקיף ה' עליו לטובה ברב חסדא וחנינה כה מעתיר בנפש נענה אהו' ש"ב המוכן לעבודתו בכל לב ה'ק טעבלי בלא"א מהו' זלמן שיף כ"ץ זל"הה מפ"פ חו' פה ק"ק לונדן והמדינה יע"א.

לאחיו וחתנו הקצין האברך המפורס' לשבח כהרר א"צ שי' עם כל

המסתופפי' בצלו הנני נותן אות אהבה וברית שלום, גם הוא יפקד לזכות ולא לחובה וימיו ושנותיו והודו והדרו יתרבה אוכ'ר.

(בכתיבת ר' משה שיף) ראיתי נערים ויחבאו ובפרט לעמוד במקום גדולים חקרי לב. אולם באשר אדוני החל להראות את עבדו את גדלו וידו החזקה לחזק ידים רפות וברכים כושלות, ותפלתי עשה מחצה ויעשה פרי, אשר אני לא אוכל לחקוק בעטי עט סופר ולרשום בכתב החזקת טובתי לאדוני, לכן אני אחזור ואתנפל תחינתי ובקשתי לפני הוד רום הק' המפורס' ש'י לכשיקרה לפניו מקרה טהור ויהי' שעת הכושר, בארך אפים יפותה¹⁶² לעשייה ולמעני יעשה זאת, וכדאי זכות זה להכריע כף מאזנים שיכתבהו ה' עם שארי צדיקי' לאלתר לחיי' טובי' כה מעתיר עבדו המוכן לשרתו כל הימי' משה בלא"א הרב הגאון מהו"רר טעבלי שיף כ"ץ שלי"טא מפ"פ דמיינ.

לחתן תמים דעים אחיו וחתנו הק' המפורס' התו' כ'הרר א"צ יצ"ו שלו' וברכה במדה מרובה גדולה ורחבה ויטיב ה' לו הכתיבה עם כל הנלוים אליהם.

(הכתיבה בעמוד החיצון היא:)

Herrn Majer Sallomon
Schiff Jude gegenw. in
Frankfurth am Maÿn

Letter X.

ב'ה לונדון חמ"ע באב תקמ"הל".

שלום לאהוי מכירי ה'ה האלוף הראש והקצין המפורסם הנדיב והנגיד ושתדלין הגדול ח"ו וי"א כש'ת כה'רר ליב יצ"ו וכאל"ש יא"ן.
ז"ך תמוז כתבתי למ'ת שקרוב לוודאי שבשבועה הסמוכה יהי' זמן המשפט וכן הוי שביום ג' ה' אב בא לפני המשפט ונגמר דינו להריגה בעו'ה, ומאז לא נחנו ולא שקטנו ותדר שינה מעינינו, דהיינו אנוכי בורזו להמתעסקים דהיינו העיקר הקצין הנכבד כ'ה ליב פרעשבוריג יצ"ו לדפוק על פתחי השרים שיש להם רעקודאציאהנין לזרזם שיעשו מה שביכולתם להשתדל חסר המלך יר'ה, ועד יום אתמול לריק יגענו, אכן אתמול ראינו שקצת הישועה קרובה לבוא בעוזה'י, דהיינו שצפינו שיקוים מאמר ח"זל בת דינא בטל דינא, ואימא לי' כל מה שנתהוה בעסק הלזה עד היום

¹⁶² עיי' מיטלי כ"ה מ"ו

היה, ה' אב הנ'ל נגמר דינו כנ'ל עם עוד חמישה אנ' ויקבע הזמן להעשות בהם משפט ההריגה ביום ה' כ'א אב הסמוך, זא האט זיך הק' ר' ל'ב הנ'ל תיכף אדרעסיהרט להשרי' הנ'ל להשתדל חסד, והי' מוכני' בכל כחם דהיינו האדון גראף קאגניק ובאראן צ"ז (צ"ד?) ורוסישי שררה, אכן האדון גראף אלווענסלעבן עומד בדיבורו ער דערפטי זיך ניקש מעלירען, ע"י הפצרת הק' ר"ל הנ'ל איזט גראף קאגניק זעלבשטן עם הק' ר"ל הנ'ל לגראף אלווענסלעבן גאננין לפתות אותו לחזור מדיבורו האט אבר ראך ניט חוזר מדעתו גוועזין השררות האחרים הנ'ל זיינין אבר זעהר ערינשט בכל מאַמצי כחם ובפרט גראף קאגנעק, נון מוזי שרייבן וואו נטוהן ווארדין עד היום, הנימוס כאן ווען מאן חסד בנעהרט מן המלך יר'ה מוז מאן איין מעמריאל מאכין עם חתומים נכבדים אונד ריוזש מעמריאל געבן לאחד מהשרים היושבים ראשונה במלכות למסור אותו למלך יר'ה, אונד דאבייא להשר הנ'ל ערוזכין לברר גם הוא טוב אל המלך יר'ה, ואצל השר הנ'ל האט מאן זיך גמעלד דהיינו ע"י רעקומדאציאהן מישררות הנ'ל ובפרט מן גראף קאגנעק, וימאן השר לקבל מעמריאל האט תשובה געבין מאחר הגולנים וליסטים ובפרט על פרשת דרכים זיך מתרבה זיין כל יום ובפרט העסק הלז נאך זיין אינפורמאציאן גאר שווארץ במשפט זיך גיציגט האט איזט קיין חסד מהמלך יר'ה צו האפין אדר צו ברעזענטיהרן, דאך איין עצה האט ער געבין, מאן זאל שאפין מן הדיין השופט דער איהם זיין משפט גגעבין האט, דש ער קצת מלמד זכות עליו איזט, אח'כ קאן מאן מיט איין מעמריאל זעהן וואש צו טוהן איזט אצל המלך יר'ה, האבין ק"ק גנאדען גראף קאגנעק המוכן לכל מה שישאל הק' ר"ל ממנו בעסק הלזה, האט תיכף איין בריף גשריבן להדיין השופט הנ'ל אונד זאלכש ממנו ער זוכט צו טאהן, דהיינו הדיין השופט הנ'ל פאהרט ארום במדינה ממקום למקום לדון ולשפוט דיני נפשות, אונד חמשי' פרסאות מכאן גוועזין וע'י א"נ בש"ק העבר מיט איין פאסט קוטש כתב הנ'ל להדיין הנ'ל גשריבן, ביום א' ט"ב איזט הא"נ ווידרום לכאן קומין עם תשובה בכתב מהדיין להגראף הנ'ל, דיא ניט פאוועראבל גוועזין, והזמן הי' קצר למאוד דען ווען עד היום קיין מעמריאל אן המלך יר'ה קומין ווערי, זא וועהרי מן המלך יר'ה הסמכה על מה שעשה שופט קומין, ואח'כ אין דרכו להשיב, בכך האבין מיר ט"ב העבר מוכפל בצרה גהאבט יום ב' י"א מנחם צפינו לנחמה, הק' ר"ל הנ'ל ווידר לאזין גראף הנ'ל גאנגען לבקש עור על נפשו של הנער, וה' נתן חסד ורחמים ואדון גראף הנ'ל

זיך בווייליגט לכתוב ע"פ למדינה להדיין השופט הנ"ל, בבקשה יתירה ולהזכיר בתוך הכתב שהק"ר ל"פ פ"ב ימסור לו הכתב בעצמו וגם ידבר עמו פא"פ, ובאשר שזמן הי' קצר כנ"ל היינו בדאגה גדולה, ואעפ"כ הק"ר ל"הנ"ל תיכף עם עוד א"נ מיט דער פאשט גפאהרין למדינה למקום השופט שנתרחק בנתיים יותר, ומסר לו הכתב השנית וגם דבר עמו פא"פ, וה"נ נתן אותו לחן ולחסד בעיני הדיין השופט הנ"ל ואמר לו שאין לו זמן להשיב בעצמו תיכף לגראף הנ"ל, רק שהוא ישיב בשבילו הבטחה שרוצה לדבר טוב אל המלך יר"ה וללמד זכות עליו, וזה האמת יום הדין הי' כנ"ל יום ה"כ א"א, ונתן הדיין תיכף כתוב וחתום להק"ר ל"הנ"ל להרחיב יום הדין על ד"י יום, דהיינו יום הדין של חמשה א"נ הנ"ל כדקאי קאי, רק יום הדין של הנער הרחיב על ד"י יום,

וזה

ע"ב

ב"ה יום ה"

וזה יש כח ביד הדיין לעשות, אמנם חסד קן ער ניט געבן, רק כנ"ל יוכל ללמד קצת זכות ואח"כ מוז המעמריאל פעולה טוהן, הק"ר ל"הנ"ל איזט תיכף ממקום הדיין למקום שהנער תפוס גפאהרין ומסר הכתב מהדיין הנ"ל לשומר בית האסורים, וע"י השתדלות עם הנער התפוס עצמו גשפראכין והזהיר אותו שיתפלל אל ד"ר שיתן להבא חנו בעיני השרי' והמלך יר"ה להוציאו ממסגר אסיר לפדותו ממות לחיים אוכ"ר, והוא הדבר אשר דברתי שצפינו שיקוים מאמר חז"ל בת דינא וכו' אתמול חזר הק"ר ל"הנ"ל לכאן ולשלום, ועכשיו אנו עסוקי' ע"י מליץ גדול ונכבד מעמריאל מאבין צו לאזין, ועליו יהי' חתומים אדון גראף קאנגעק, ובאראן צ"ז, ורוסישה שררה, ועוד איזה סוחרים נכבדים מכאן, ובכיון קיין בר ישראל חתמין צו לאזין, והשר המיוחד לכך ווירט זולכש אי"ה להמלך יר"ה מוסר זיין, ולב מלכים ביד ה" להטותם לטובה ולרחמים ע"כ המאמר, נון האבין מיר עכ"פ פועל גוועזין חיי שעה, וואו ג"כ מותר איזט לחלל שבת בשביל חיי שעה וחיי שעה ג"כ בכלל פיקוח נפש שדוחה כל המצות וקוה קוינו לד"ר שיגמור בעדינו לטובה להצילו ממות לחיים אוכ"ר, וזאת לדעת ראש מעמריאל ווירט איין גרייכט בבקשת חן וחסד מהמלך יר"ה מבלתי להמיתו, רק זייני בקאנדי כאן זוללען איהם שיקן חוץ למדינה זו למקום שחפציו (שיחפצו?) ולא יחזור עולמית למדינה זו, ואם יהי' רצון א"ב"ה ובש"הג להטות לב המלך לבקשה זאת, קן ער אי"ה חוזר

למדינת אישכנו זיין מעהר קענין מיר כאן ניט טוהן וגם השררות הנ"ל בכללם ובפרט גראף קאנגעק ג"כ יותר ניט טוהן, לדבר בעצמו אל המלך יר"ה או אל שארי שרי' היושבים ראשונה במלכות איזט קיין נימוסי מדינה פה, רק מוז ע"י מעמריאל כנ"ל גשעהן והעיקר איזט דאש מאן החתומים הנכבדים השררות הנ"ל האט, זיא האבן בתחילה גווייגרט לחתום, רק ע"י צו רידן מהק"ר ל"פ ב"ב זיך דאצו מרצה גוועזן, איך העטי דאש גאנצי מעשה לפי שעה נאך ניט גשריבן, רק ווייל איך בכתבי מז"ך תמוז גשריבן האב, בשבוע הסמוך קרוב לוודאי זמן המשפט זיין ווירט, זא האבי מכ"ת ניט בתוחלת ממושכה לאזן וואלין, ובדאגה דאש ח"ו הכל עבר איזט, לכך הוכרחתי לכתוב אליו על מה הדבר עומד וצפייתנו לישועה מאת ה' ב"ה ובש"הג ומעתה אם אמרתי אספרה הטרחות והיגיעות שהי' לי וביטול תורה ותפילה מ" דאגות ובהלות דאש איך זה איזה חדשים מעסק זה נהאבט ממורא שעלה על ראשי ח"ו איין התרשלות גשעהט מרגע אחת, ובפרט שבוע זו שהי' הזמן קצר וחוששני דאש התרשלות ח"ו גשעהן ווערן, וחלילה העון. תלוי בראשי, כה אזכה לנחמות ציון, כמשמעו נדרה שינה מעיני וכל אוכל תתעב נפשי, ובפרט ווייל איך דמים תרתי משמע בדעת האבי לחוס ג"כ על ממון של מעב"ת אונד לפעמי' בכח ההוצאות מענאשירן וויל, ולאידך גיסא מורא האבי מהתרשלות ח"ו ע"י מענאשירונג הוצאות¹⁶³ נון אבר ת"ל ב"ה בין גרוהט ברעתי בין בעזה"י בטוח כמלא נימא קיין התרשלות גשעהן, וואהל אבר הוצאות עלו עד למעלה ראש, איך האבי בכתבי מז"ך תמוז גשריבן לפי הנראה לפ"ש ארבעים גינא¹⁶⁴ הוצאות הוא די והותר, וכשבאתי לחשבון זיינין זיא ארבעים וחמשה גינות ניכט מספיק, ועלו הרבה יותר, אפשר עד זמן המשפט וועהרי ארבעים גינא די גוועזן רק דיא הוצאות שנתרבה מיט קוטשין פאהרין מיט דער פאשט להמדינה, אונד זונשטין הוצאות לשר בית הסוהר ולעבדים ומשרתים וד"ל אחר גמר הדין וגם מעתה כנ"ל צו מאכין ממל"ן נכבד, אודר זונשטין סעיפים שנסתעפן, וואו מאן האט מוזין לכבוד השררות ומליצים ופרקליטי' שוני' נעמין, ולהכפיל שכרם לא יאומן כי יסופר וויא המעות אויז דיא האנד גיהט, הן קודם גמר דין והן עוד חיד נטויה להוציא ביותר, ועלי הי' כולנה איך האבי לכא"זא מבטיח גוועזן להוציא מעות וליתן לי חשבון ועלי לשלם, מכיסי ווירט מעכ"ת ניט ברעזענטיהרן זולכש

¹⁶³ מענאשירונג הוצאות = management of expenses.

¹⁶⁴ גינא = guinea.

צו צאהל'ן, וגם נגד כבודי דעם עולים נמולים ואינם נמולים, דוחה צו זיין בלך ושוב, בכך ערווארטי בלי איחור תשובה, דאש מכ"ת מיר אורדר געבין זאל עליו צו אסיגניהרן מה ישעלו

דף 2 ע"א.

ההוצאות יותר על הארבעים גינא, כדי שאוכל לשלם לכל או"א כפי הבטחתו, ולא אהי' ח"ו זריו במצוה ונפסד מכיסי או להיות ח"ו מחוסר אמנה להבטיח ולא לשלם איך ווערדי מיר אי"ה מכל או"א אחר הגמר לטובה חשבון וקוויטונגש געבין לאזין ולשלוח ביד מכ"ת או"ה עכ"פ כנ"ל לא סגי" בלא"ה וכ"ת בלי איחור משיב אלי איזט כנ"ל עליו סך הכל של ההוצאות צו טראסיהרן אם כאשר נקוה לטובה מ"ה בשה"ג מהמלך יר"ה כנ"ל חסד בקומט, בתנאי איהמע ע"י מיודעיו חוץ למדינה צו שיקן, קאשט ג"כ הוצאות הדרך אליו וכדומה, השב"ה זאל להבא כל ישראל מכל פגע רע מציל זיין ואותי ג"כ ניט לידי נסיון צו ברענגין, זיך בעסק כזה מוזין מטפל זיין, אמת הדבר השכר מן השמים איזט צו גווערדיגן, ואין הקב"ה מקפח שכר שיחה נאה,¹⁶⁵ ובפרט כנ"ל שכבר יש לנו השכר מחיי שעה אמנם הטרחה והיגיעה והטיפול מרובה, וקווייתי לה" לפום צערא אגרא, אין דער ערווארטונג תשובתו כנ"ל עי"מ, אסיים בברכת כהנים, שיכרך ה" אותו בגופו וממונו, ויתן לו שכר בעוה"ז ובבא על המצוה גדולה שעשה בגופו בהשתדלות ובממונו בגדיבת לבבו וימלא חסרונו בעושר וכבוד, ולהאריך ימיו ושנותיו בטוב כלו תפלת דוד הק" טעבלי בל"אא מהו' זלמן שיף כ"ן זל"הה מפ"פ חפ"ק לונדון והמדינה יע"א.

Letter XI.

ב"ה לונדון חמ"ע באב תקמ"ה ל".

שלו' לאהו" אחי הרבני המופלא הדיין מוהרר"ם כ"ן נר"ו עם זוגתו ניסתי היקרה תי' ובתם ריוכה ה"י וכאש"לי א"ן.
כתבך מכ"ח תמוז עם האסענג' מהק" ר"ז וו"ה על הק" ר"ד מסך £20 קבלתי בזמנו בכוונה שלחתי בדף הדבוק כתבי לה"ק ר"י בר"ש אליך שלוח אותו בלי איחור לר"ש במ"כ, ראישון כדי שגם אתה בעיניך תראה את כל

בבא קמא ל"ח ע"ב ¹⁶⁵.

הקורות בעסק הלזה, שנית כדי שתמלא בקצרה דברי הארוכים ולזרז להק"ר"י הנ"ל ששייבני במוקדם וליתן לי אורדר עליו צו אסיגניהרן כדי שלא אהי' זריו ונפסד, ובעיקר הדבר האבי קיין גרוישה דאגה דש ר"ל הנ"ל מיד שטעקן לאזט, כי לפי הנראה הוא איש אמיד ונכבד וכי כך עושין לבני לוויית חן, אעפ"כ למיחש מיהו בעי שאר ניקש הזירזו למלאות דברי בדברים המתישבים ותנחומין על הוצאותיו המרובי' השב"ה זאל להבא מיד מציל זיין מנסיונות כאלה, כי באמת מי שבא לידו כזה אינו בן חורין לפטור איזט הצלת נפש מיישראל, אבר עש זיינן קיין עסקי' פר איין רב, ובפרט כמו שכתבתי גם כן להק"ר"ל שמורך לבבי לישא משא כזה עלי משני צדדים לחוס על ממון ונפשות שני הפנים בנושא אחד, ואתה ידעת טבעי איך בין גערין גרוהיט אונד דער קאפף קלאהר האבן וויל, ווען איך העמי זולין איין שידוך רידן וואו סך רב דאבייא צו פארדיהנין ווערן, אונד נור העמי מוזין זולכה מגלות ארוכת שרייבן מלבד שארי טרחות ויגיעות ידוע לך קיין ה"א פון פאר דינסט מיד דאצו גברויכט העמי, ובעסק זה כולו איתנא בי' והעולה על כולם דאגת הנפש מהתרשלות ח"ו, אך כאשר כתבתי לה"ק ר"י הנ"ל לפום צערא אנרא, עד היום עכ"פ השכר מחיי שעה ריווח, ואם יהי' רצון ה"ב"ה ובשה"ג שיוגמר הדבר לטובה בהטיותו לב המלך והשרים לטובה, האפי למפרע נחת ורצון ושכר משלם צו האבן ובנתיים נקוה לה"ב"ה ובש"הג שיגמור כל טוב בעד התפוס ובעד כל ישראל ובמהרה נזכה לנחמת ציון ובנין אריאל כה מבקש (וכה) שואל, אחיך הר"ש ומוכן לטובתך הק"ט טעבלי בלא"א מוה"ז זלמן שיף כ"ץ זלה"ה מפ"פ חונה פק"ק לונדון והמדינה יע"א.

אורדינארי¹⁶⁶ גרוס לכל בני משפחותינו ה' וכן מבני גיסך ר"מ ש"י וכלתי גיסתך היקרה תי' גשיקט.

The address outside is as follows :

A Monsieur

Monsieur Isaac Michel Spayer

très Rénommé Banqr !

à L. Schvalbach.

¹⁶⁶ The customary greetings.

Letter XII.

ב'ה לונדן כ'ו סיון תקמ"ז ל'.

שלו' לאהו' אחי ידידי וחביבי הרבני המופל' הדיין מהורר מאיר כ"ץ
נר' עם זוגתו גיסתי היקרה ובתם יחיו ולב' אלש = אמן.
כתבך מן ר"ח הנ"ל קבלתי ואם שתל' שנתן חילי לאוריית' להיות
ניעור כל הליל שעברה כמנהגי ללמוד לזכות נשמת אמנו זל'הה, ונוסף
לזה חולשת התענית לפום צערא אגרא ג"ז עשיתי לזכות נשמתה בפרט
שהיא גרמה ומאכלי' בריאי' וקלי' שהאכלתי אמי בילדותי עמדה לי
בעזה'י בזקנותי,^{166a} ודחקתי את עצמי להשיב על ד"ת שבכתבך הנ"ל ובדף
הדבוק תמצאנו.

וזולת זה מילי דעלמא לא מצאתי בכתבך שום דבר להשיב עליו, ומה
ששאלתני אם לדרוש ואם לפרוש להעלות בדפוס בעזה'י חידושי' שהעליתי
בעזה'י וזאת תשובתי מה שהוא באריכות דרך לפלפול אפי' אם שייך
לדברי רמב"ם או זולתו ראשוני', אם אינו בקיצור אין דעתי נוחה להעלות
בדפוס ואפי' מה שהוא דרך פשט בגפ"ת אם אינו נ"מ לדינא גם זה אינו
נוח לי, כי השם נתן לכא"ו חלקו להבין, ומה שכתבת שיבוא מי שאינו
הגון ויתלבש בוה, מה בכך קמי שמי' גלי', ואם לשום שם ושארית לאחר
מאה שני' מי יעיין בדברי' ארוכי', וגם אין אדם רואה חובה לעצמו,
ולדעתי ראוי ונכון מי שירצה שמעותיו קודם שנתנו לדפוס יבחר שני' או
שלשה לומדים מופלגי' והוא בעצמו יסלק עצמו מזה רק שהמה יעינו
בחידושי' וע"פ שני' או שלשה הנ"ל יקום מה שיראה בעיניהם לדפוס,
והשאר לא יזכר בדפוס, וע"פ אופן זה רחוק שיזכה לשם ע"כ כי בוודאי
לא ישאר רק עלה א" בבר אחד, אמנם מי שכוונתו לשמים ולא לכבוד
המדומה להיות לו שם בגדולי' לא איכפת לי' אם יאמרו הרבה או מעט
שמועת מפיו. טוב מעט בכוונה, בוודאי אני נוהר אפי' דבר קטן אני
כותב על הספר. הן מה שנוגע לדינא בקיצור לאמתה של תורה בעזה'י,
הן פלפול קצר או ארוך בגפ"ת אפי' דרך דרוש כי מזהיר ע"ז בספר
חרדי' ולאחר שנכתב בספר אני יוצא לפני ה' ומה שירצה יעשה ה' ב'ה
ובש"הג שיהא לי זכות מזה, אמנם להדפיס צריך לדעתי עכ"פ כנ"ל שאחרי'
לומדי' חשובי' יבחרו מקודם, ובוודאי זהו הוצאה מרובה שרוב פעמי' לא
ימצאו לומדי' שיעשו זה כ"א בשכר, אף גם כנ"ל אינו מגיע זה לכבוד

עיי' חולין כ"ה ע"ב ^{166a}

המדומה לפי שיבחרו אוכל מועט כנ"ל, ומי שחננו ה' בתורה וגדולה ויצוה אחריו לעשות כזה מחידושיו כשיגיע (ל)ימי' שקטן וגדול שם הוא, הוא טוב בעיני אלקי' ואדם כי אז כל הכבוד המדומה בטל. או מי שאינו חושש לכבוד המדומה יכול לעשותו אף בחייו. ואם מעט יהי' לאמתה של תורה או פשט בקיצור א" המרבה וכו' זהו דעתי בקצרה ואידך פרושא זיל נמור.

ואנב באתי ג'כ במילי דעלמא להיות שראיתי שחשקה נפשך לראות העתקה מכתבו של הק' המפור' כה'רר הירץ מעדלסהיים אל, מסתמא ג'כ יהא ניחא לך לראות העתקה מה שכתבתי להק' הנ'ל שבוע עבר תחת כתב האפטרופסי' של הבעל שם כאן. על אודת דצריך השתדלות נמרץ בחצר המלכות צרפת יר'ה לקבל כל סך העזבון הנ'ל שהוא חובת מדינה הנ'ל, וכמה קולמסי' נשתכרו בזה ללא תועלת והק' ר' שמעון בועז מהאגן יעץ להק' האפטרופסי' לכתוב למחותנו הק' הנ'ל ועשו כדבריה' ואני כתבתי למטה כאשר תמצא בזה הכתב העתק.

ו"ז אין אתי כהיו' רק חיי' ושל' מאד'ה וממני אחיך הד"ש ומבקש טובתך הק' טעבלי בלא'א מהו' זלמן שיף כ'ץ זל'הה מפ'פ חו' פק"ק לונדן והמדינה יע"א ולאחיותינו היקרות יחיו וי'ח שי' . . . ובפרט ב'א הבחור כ' אברלי ואחינו משה ד"ש.

העתק.

גם אני יוצא לשל' לקראת מחו' הק' המפורס' הגביר ושתדלן הדור' כהר'ר הירץ יצ'ו ולא על עצמי יצאתי אלא על הכלל קהל קודש פה ה'י ופרט היוצא מהכלל המה כמה לומדי תורה ועניי' אומללי' אשר עיניהם תולי' ומיחלות לה' ב"ה ובש"הג שיגלגל זכות ע"י זכאי כמותו ירבה בישראל לעשות לטובה אות כפי בקשת הקציני' האפטרופסי' כנ"ל, ואם שהעסק הלא גדול כהר גבוה בעינינו ידענו שבעינו עין העדה הוא קטן עפ"י יד ושם שיש לו בעזה'י אצל היושבי' ראשונה במלכות יר'ה כזה וכזה הערני לעורר לבבו לב נבון וחכם איש קונה עולמו בשעה אחת ושני עולמות ינחל ע"י שכר טוב שיטול מן השמי' ומן הבריות אם יהי' גמר מצוה הזאת על ידו הגדולה בעזה'י וכבר עלה על רעיוני לכתוב ל . . . מחו' וש"ב הק" המפורס' פו'ה כה'רר איצק שפייאר יצ'ו שדעתי קרובה עמו למאוד ולעשותו אמצעי משובח בין כבוד מעלתו הק" שי' וביני שהוא יביא בשמי מליצתי זאת אליו וימלא דברי אלה בשני' ושליש דלתות מפי כתיב' אמנם הדרנא בי כי בדבר'י כאלה ומצוה רבה

כזו ידוע ומפורס' שכבוד מעלתו הק" שי' א"צ אלא פתח כמחט סדקית הפותח כפתחו של אולם לבו הטהור המשתוקק להטיב לטובים. וגם אנוכי אקצר באמרים שלא יהי' דומי' אליו כמרובי' ושלומי' ישנה כמל' וכרביבי' מאדון העולם יושב הכרובי' אלה דברי דוד המדבר לצורך רבי' מחו' המוכן לטובתו לכל אשר אליו יפונה לעמוד על משמרתו משמרת כהונה הק" . . .

נ"א ד"ש א"ה ודורי הרבני המופל' חרוץ ושנון אדיר שבלבנון מהו' מאיר כ'ץ נר"ו ואשר העיר ממעון קדשו ויביט אחרי משה מדוע ידיו פקידים ומונע פרי עט, וסובב והולך הליכות עולם לנטות לבבנו אהבת השלום. גם אנוכי אחוז בזה ואלך בעקביו לשאול לשלום לך. שוב אלי ואשיב לך אמנם במכ"ה כאשר עיני מטייפין לא ישרים מעלתו נר"ו בהחלט כי למדתי מאותו שבט סופר. שלא ישא פני כופר לבקשתו, ואינו מסיח דעתו ושעיפי' ישיבוהו הכי אחיו א"א מ"ו הרב הגאון נר"ו מהראוי להיות בתומכי אותו, ואנכי לא כן אדמה ולא כן אחשוב. כי עיני משה רא"ה והוכיח במישור שמעלתו נר"ו אינו בעוה' במדריגה זו. ועד כה ברכו ה' להיות מהנותני', ובוודאי כתורה יעשה להיות עכ"פ משגיח בעין החמלה על עצמו ובשרו ולא כבשר שנתעלם מן העין, ואחרי שהודעתיו את כל זאת מבלי לדבר בלב ולב, אין נכון וחכם כמוד שהרין עמי בחושבי כנ"ל שלא ישרים מעלתו הרמה נר"ו בתמים, וישאיר תינא בלבו כנ"ל וז"ו מה שנוגע לעצמי הם כי לא להזכיר עוד מהן הן הדברי' אשר נאמרו ולא נשנים. ועוד כל ימי עולם אני לא אזוז ולא אשנה לשמור פקודיו ומצותיו לעשותן בלב שלם, ואשא עיני על ההרים יפיק לו ברכה עד בלי די לישב השקט על שמריו עד יבנה היכל ואולם כן יאמר אל מכל נעלם כ"ד גיסו וב"א הק" משה בל'אא מ"ו הרב הגאון מהו' טעבלי שיף כ'ץ שלי"טא. לזונתו גיסתי הרבנית תי' שלו' וגם לבתם תחי' וכה"ג לגיסי וש"ב המושלם כהח' סנ"ל זונתי הנעימה תי' אף היא תשיב אמריה לשלום לו ולאשתו אחותה תי' ולבתם תי' ולאחי' הנ"ל לאחיותי' דודתי יחיו ואחיק דודי כ' משה שי' וכל אשר להם שלו' ובפרט ש"ב החתן כ' אברלי שי'.

אין לינגדן בריב לא" כהר"ר ליב צונץ ז"ל ערוזכי במוקדם לידה ממש במ"כ בשטעלין צו לאזין, באשר שמונה בתוכו ח"כ וגם שטר חליצה להחתן הבח" כ'הרר טעבלי בנה, חצי פ"מ ואף שם קאשט ווערט צאהלין פ"מ כאן כבר קבלתי כאן.

Herrn Meyer Sallomon Schiff Jud. geg. in Frankfurth am Maÿn.

Letter XIII.

אגרת הג' ר' טעבלי שיף להג' ר' יוסף שטיינהארט

אבר דק"ק פיורדא.

ב'ה.

גבור החיל בתורה, חכם לב ומי כמוהו מורה כלילה כיום כחשיכה כאורה בתורת אמת הוגה והורה. להוציא תעלומות לאורה בחקירה אמיתית וסברה ישרה להסדיר לתלמידיו הלכה ברורה ערוכה בכל ושמורה. ה'ה הרב המאוה'ג לו העוז והמשרה להעמיד הדת על תילה ומצות ה' ברה ולהדריך עמו ביראת ה' טהורה אשרי עם שככה לו מטה עני מקל תפארה נ'י ע'ה הגאון המפור' תהלתו בקהל רב נאמרה כבוד הרב הגדול אב'ד ור'מ דק"ק פיורד' המעטירה מו'ה יוסף נ'יו לעד יאיר עד כי מציון תצא תורה א"ן.

אחר דרישת שלום למר ולתורתו, באתי עם הלז לבקש ממעלתו הגאון נ'י על אודת אשה אחת הושקדת על דלתותי יום ויום ושמה ורומט בת ליב שהית' אשת ליבלי רעדלסהיי' שנתגרשה זה לערך חמשה שנים בבית דינו הרמה ועתה רצתה להנשא לאיש אחר במדינה הלזה. אך אני עכבתי על ידה להיותה פה בחזקת אשת איש, ואין לה עדים שיעירו שבפניה' נתגרשה. ואמנם יש בידה כתיבת יד מעלתו הגאון שמעיד שבפניו נתגרשה. אך לבי בל עמי להתירה להנשא על זה להיות מעלתו הגאון נר'ו אך עד אחד שמעיד על הגרושין, עם כי יחיד מומחה דינו כשלשה אין זה כי אם . . . קיום שטרות שהוא מדרבנן לא כן בעדות דאורייתא ואין דבר שבערוה פחות משנים. ואם הקלו חז"ל בעדי . . . נה והכשירו עד אחד הטעם מבואר בפ' האשה שלו' אם משום שהוא מלתא דעבידא לגלוי אם משום דהיא גופ'. . . דיקא ומינסבא, אמנם לענין גירושין אין אומר ואין דברים בלתי היות לה שני עדים המעיד' שבפניה' נתגרשה כמבואר בא"ע סי' קנ"ב. ובהיות כן אף גם שיה' לה שני עדים שיתנו עדותם בכתב על הגירושין איככה אוכל (להתיר) דנישואין עפ'י כתבם והעיקר אצלנו מפייהם ולא מפי כתבם. אם לא בעידי מיתה מצאנו ראינו היתר בא"ע סי' י"ז. וגם זה מסבה הנאמרה שהקלו בעידי מיתה, משא"כ בעידי גירושין ובוודאי דינם כשאר עדות דלא מהני מפי כתבם, ואנו אין לנו להתיר נישואי אשה שהית' בחזקת א"א וחזרת ואומרת שנתגרשה אם לא שיש בידה גוף הגט, או שיש לה עדים

שמעידו' שבפניהם נתגרשה או שיש בידה מעשה ב'ד' וחתימת ידי הב'ד' ניכר' כמבואר בא"ע סוף סי' קנ"ב בשם הרשב"א, ועיין בשו"ת מהרי"ן לב ח"ב סי' א' ולפי דבריו צל"ע דהוא משה דין מעשה ב'ד' לגט גופא, ובש"ע סי' קנ"ב כ' הב'י בפשיטות סעיף יו"ד בגט דאין צריך קיום, ובמעשה ב'ד' כ' סעיף י"ב קיום וצ"ע, והנה באשה הנאמרה שאין לה עדים המעידים שבפניהם נתגרשה, לא אוכל להתיר הנישואין לא בא" משני דרכים. אם שימחול מעלתו הגאון נר"ו לשלוח גוף הגט לכאן או מעשה ב"ד, ולהיות שבוודאי בכאן (אנשים) המכירים חתימת ידי ב"ד דשם ותעמוד האשה הנאמרה באיסורה ימים רבים עד (שימצאו) . . . אנשים שיכירו חתימת ידי הב"ד והאשה הנאמרה רצתה למהר נישואי' ולגודל הפריצות . . . לגשת . . . הישראלי במדינה הלזה יש לחוש אם לא נתיר הנישואין תנישא באיסור. ע"כ עצתי הנכונה שימחול מעלתו (. . . הגאון נר"ו) לשלוח לכאן גוף הגט ע"י מוקדם ואם יש דרך אחר יותר קרוב להתיר נישואין הנ"ל יורני ויאמר לי.

עוד מצאתי עצמי מחויב להטריח כ' הגאון נר"ו בדבר מצוה. להיות פה נמצא איש א" עני ורש בשמו גדלי' בר" ל"ב ממיינעק סמוך לבערקונשטט אשר נשא שם אשה ומדי היות עמה איזה שני' הוכרח לעזוב את ביתו לסבות חובת או זולת' מההכרח. והניח לה כל אשר לו וברח למדינה הלזה והאיש הנאמר כבר (הסכי') לשלוח כתבי' מכתבי' שונים ודבר על לב אשתו קשות ורכות למען תחזור אחריו למדינה הלזה והיא ממאנת ואוטמת אזני' משמוע. האשה בשמה רעכלה כעת היא בבית הק" פו"ה כמו"ה מאיר ברלין. וכאשר לא נוכל לכופ אותה שתחזור אחר בעלה למדינת הים אולי נוכל לפתותה לקבל גט מיד בעלה, ובפרט לפי דברי בעלה נפשה חפצה יותר לקבל הגט מלחזור אחריו לכאן. בכך ראוי לפתותה בקבלת הגט כי מלבד שהיא זקנה והוא איש נער בשני' מה לה לשבת שם עגונה וגלמודה, ובעלה שרוי בלא אשה במדינה הלזה אשר המכשלות בה רבו כמו רבו והמכשלה הזאת תחת ידינו ע"כ בקשתי שלוחה למעלתו הגאון נר"ו לקרא לה ולדבר על לבה לקבל הגט. וכבר התרצה עצמו בעלה הנ"ל לשלם כל הוצאות שיעלו מכיסו הן לעשות שלוחה להולכה והן לשלם זולתי מההוצאות שיעלו במקומו ומקומה ועל שניהם אומר שאצפה תשובתו מ' הגאון נ"י ע"מ, ואני על משמרתי אעמודה ואחיצבה בבוא אלי דבריו אענדם עטרות לי לעשות ככל אשר יצוה עלי חסדו א"ד הנאמן בבריתו והשלם בחבתו דגלו עלי אהבה וכל הימי' ירבה. הטרוד על התורה ועבודה אפי' ארץ אשתחווה ואנוי קידה הק

אחר כלות האגרת מצאתי תשובה לרדב"ז ח"א סי' קס"ח הדומה לנדון דרן ורוצה להתיר עדותן מפי הכתב. עם כל זה לבי רחוק ממני להתירה ע"פ עדות מפי הכתב כי בעל שו"ת לא פסקו למעלה, כי יש לו סניף אחר שם להתיר. ובפרט בנדון דרן אין לנו כי אם עד א" מפי הכתב מה שאין דעת בעולם להתיר עליו. להרב אבד דק"ק פוורדא מהו' יוסף נ" י"ט אדר תקלא.

Letter XIV.

ב"ה לונדן כ"ג שבט תק"ט לפ"ק.

כשאל בשתי . . . בתורה וגדולה, יחזקוהו ד" מועלה מעלה, וירבה נבולו בתלמידים לשם ולתהלה ה'ה אהו' י'נ הרב הגאון הנדול המפורסם בגולה נ"י עה"י פה"ח כבוד מהו' שאול נ"י אב"ד ור"מ דק"ק המהוללה אמ"ש יע"א.

הנה ימים אחדים מהעדר סבה, נפסק בינינו דבור של חבה, כעת נתעוררתי לרצות לפני כת"ר הגאון נר"ו מה שעלה על רעיוני ע"י מעשה שבא לידי בסידור גט ע"י שליח ונא (יטיב?) לפנות קצת מטרדותו ולהשיבני מעלו' דעתו דעת תורה ודעת נוטה להלכה ולמעשה והוא, בנחלת שבעה בנוסח ההרשאה לשליח הבעל ע"ש אות ט' וצל"ע דברי הנ"ש דבנוסח הש"ע סי' קמ"א סעיף למ"ד מסיים: ותיכף שיגיע גט זה ביד אשתי הנוכרת או ביד שלוחה מידך וכו' תהא מגורשת ממני ומותרת לכל אדם. נמצא ע"כ פי' שלוחה הוא שליח קבלה דאל"כ אלא פירושו שליח הבאה שעושה האשה להוליך לה גט מבעל א"כ איך כתב שתיכף שיגיע הגט ליד שלוחה תהא מגורשת ממני וכו' אע"כ פירושו ש"ק. ומ"ש הנ"ש שגם הב"י סובר שאין אנו מגרשי' בשליח קבלה לא מצאתי בש"ע של ב"י סי' קמ"א רק הרמ"א הגי' כך סכ"ט = ואם הוכחת הנ"ש מדלא הביא בב"י נוסח שליח קבלה שהביא הטור שם הוא דקדוק קלוש. בכך לדעתי הדבר ברור דלא כנ"ש והפי' בנוסח הש"ע הוא שליח קבלה ולכן השמיטוהו האחרונים בסדר הגיטין כיון דאין אנו נוהגים לגרש ע"י שליח קבלה ומ"מ נ"ל דאם רוצה לכתוב בנוסח הנ"ש ולשופרי דשטרא רשאי כיון דאין איסור לגרש ע"י ש"ק אם יש עדות ברורה המקיימים חתימת הדייני' וכמ"ש הב"ח והט"ז בסי' קמ"א ס"ק כ"ב ע"ש ובאחרונים שהביאם, אמנם עלה על דעתי אם רוצה לכתוב נוסח הרשאה של נ"ש ביד שלוחה וכו' צריך הבעל ג"כ לאמרו לשליח כשממנה אותו בפני עדי' וכשמוסר לו

הגט. אבל לרכוב אתרי רכשי לנהוג המסדר כמו שכתוב לפניו בסדר גיטין בקצרה שאין הבעל אומר אותן הדברים ביד שלוחה וכו' בשעת מנוי השליח ומסירת הגט לידו ואח"כ לכתוב ההרשאה ביד שלוחה וכו' כנוסח הג"ש אינו נכון לכאורה דעדי ההרשאה כותבין וחותמין מה שלא שמעו מבעל אך אפשר לומר דאין קפידא בזה כיון דהפוסקי' ראשוני' ואחרוני' גם הג"ש גופי' באות יוד וי"ג לא הזכירו בדבריהם רק האיך וכיצד ההרשאה נכתבת, ולא הזכירו בדבריהם האיך וכיצד יאמר הבעל, גם הזכירו הפוסקים שכ"א כותב כפי צחות לשונו ולא הזכירו שהסופר עכ"פ צריך לכתוב דברי' שאומר הבעל כהווייתן בשעת מנוי ומסירה, אלא דאין קפידא בזה שהסופר לא ישנה ויוסיף על דברי הבעל, וגדולה מזה מצאתי בטורי זהב סי' קמ"א ס"ק י'ז לחלוק על מהר"ם מיניץ ע"ש באורך וסיים ותו ודאי ט"ס בהרשאה הך חסרון דפרך כפי כמו שמצינו בשטרי חוב דאמרין אחריות ט"ס מטעם דלא שדי אינש זוזי בכדי. וה"נ כאן בוודאי לא שלחו בענין שלא יהי' גט אלא סמך שיכתבו כל לשון הצריך להרשאה כמו בכל יפוי של שט"ח שאין המלוה מזכיר בפירושו כל הלשונות השייכי' אלא סמך שהסופר יכתוב כל היפויין וכו' עכ"ל ט"ז ע"ש, הרי לדברי הט"ז דין הרשאה כשאר שטרות, ובוודאי לכתחילה יאמר הבעל בשעת מנוי ומסירה כלשון הנהוג לכתוב בהרשאה, אבל אם לא אמר הבעל ממש כלשון שנוהגי' עכשיו בנוסח הרשאה אפשר לומר דאע"פכ יכולין לכתוב נוסח ההרשאה כפי הנהוג דהבעל כשעשהו שליח ומוסר הגט לידו אע"פי שאינו מזכיר כל הלשונות סומך שהסופר יכתוב כל היפויין הנהוגי' כמו בש"ח וכמ"ש הט"ז, ועדיין לבי נקפי ובפרט בדבר שעיקור השליחות תלוי בו כמו לעשות שליח אפי"ן לא יחלה ולא יאנס, או לעשות האשה שליח לקבל מיד שלוחו אפשר הבעל צריך לאומרו בפי' בשעת מנוי ומסירה ובאמת בש"ע סי' קמ"א סעיף למד וע"ש בבאר הגולה ובסי' קנ"ד נוסח ההרשאה ונוסח דברי הבעל בשעת מנוי ומסירה שווי' בלי תוספת וגרעון וכן בסדר הגיטין בקצרה אמנם לפי שכל מסדרי גיטין המה מסדרי' כמו שהוא לפניהם בסדר גיטין בקצרה ונוסח הרשאה כותבי' בקצת מקומות כנוסח הג"ש לזאת באתי למדה זו להיות נבון בדבר. ואנב באתי לעורר ולתמו' שבכל ספרי הדפוס שראיתי סדר הגט בקצרה לא הרגישו בט"ס וחסרון הניכר בסדר הגט שני אות מ"ב קודם ותיכף וכו' חסר ובכל מקום שתמצאנה אתה או שלוחך או שליח שלוחך אפי"ן עד מאה שלוחי' ואפי"ן בלא אונס. ושם באות ס"ה הלשון כתקנו. ומזה

הקשתי על השאר שלא להכניס עצמי לדבר שאינו מצוי ומתוקן כל צרכו ליתן נט על תנאי ומקרוב פוחז אחד הלך למדינת הים ורצה לגרש איתו ע"י תנאי אע"פ שהי' קצת חשש עיגון ובסדר גיטין בקצרה כ' שאם אינו רוצה לגרש סתם ויש חשש עיגון יש לגרש ע"י תנאי לא רציתי להזדקק לזה מחמת חומר הנשיא ורבויו הדעות בענין התנאי שאינם מבוארים כל צרכן, ובפרט כאן שלא יכולתי לכוף דלימטי' עלי רק שיבוא מבשורא, ולא רציתי עשות כ"א כפשטי' דהג"ה רמ"א סי' קמ"ה ס"ט בנט ש"מ ע"י משכנות וערבנות וכמו שראיתי נוהגין בק"ק פפ"דמ' וגם החכם דק"ק ספרדים הסכים עמי, ונפשי אותה לדעת כיצד נוהגין שמה קהלת כ" יע"א ומדי דברי ראיתי לכתוב דבר תמוה בעיני ישראלית בדיני נט על תנאי בסג"ר סי' דל"ג ורל"ד ובס"ג שני סי' מ'ה מ'ו ובס"ג שלישי סי' מ'ח בכולן כתב אחר שאמר הרי זה גיטך וכו' יסיים ויאמר התנאי ע"ש וצל'ע טובי' שסמכו בזה על הרמב"ם והניחו כל האחרונים שהביא הב"ש בסי' ל"ח סק"ב הלא המה הראב"ד והרשב"א והרן והטור והרמ"ך ע"ש ובתי"ט סוף פ"ז דבבא מציעא, ומטעם זה וכיוצא בו שאינו מזוקק הסדר וחששות כהנה לביטול ופיוס מנעתי את עצמי כנ"ל ומובטחני שדברי בל יהי' דומי' עליו כמרוכי' וכמכ"תר הרמה והנשאה ישוב לי דבר על אופנו, ואני כהנה וכהנה, אעמוד על משמרת כהונה, להיות זהיר וזריז בכל אשר אלי יפנה. הכ"ד אוהבו נאמנה בכל עת ועונה הק"

Letter XV.

ע"ב.

ב"ה יו"ד אדר תקל"ט ל' להגאב"ד אמ"ש.

ערבי' עלי דברי דודים מר"ח הנ"ל שהגיעו לידי שלשום וצוף דבש מצאתי תחת לשונו ומילולו וכן חן לו ולאורייתא יישר כחו וחילו שאוהב לפרוק (לפטר?) דברי הראשונים' כותבי סדר גיטין. ואני שונא לטעון. אעפ"כ האמת אהוב שעדיין לא הונח דעתי. כי מה שעלה על דעתי הגדולה בהשקפה ראשונה לומר כיון שאם אין התנאי בטל ומעשה קיים לא הקפידו כ"כ וכו' מלבד שהוא בעצמו ובכבודו מצא חששא ישנו עוד חששות רבות אם הוא כהן מחזיר גרושתו וכן אם קבלה קידושין מאחר וכהנה רבות. ומה שאחר העיון מיישב ומדמי לי' להא דתיקון שמואל מגט ש"מ

לאו והן ולא. במ"כ תורתו כי רב הוא אין הדמיון עולה יפה בעיני בשלמא לענין שצריך הן קודם ללאו דהטעם שאם יסיים בהן בגמר דבריו אדם נתפס ונמצא התנאי בטל ומעשה קיים. מש"ה אם אומר לאו והן ולא דמסיים בלאו מהני. משא"כ הא דצריך תנאי קודם אפי' לאמירת המעשה הטעם דאם אמר המעשה קודם ולא אחר אמירת התנאי שאח"כ ומבטל לאמירת המעשה כמו שמצינו בתנאי ב"ג וב"ר שלא אמר משה תנו אם יעברו דא"כ לא הי' אמירת אם יעברו מבטל המתנה וכ"כ רש"י ותוס' בפ" האומר והרן והראב"ד הביאם הב"י סי' ל"ח א"כ כיון שכבר אמר המעשה קודם התנאי מה מהני אם יאמר אח"כ התנאי כב"ג וב"ר כתבנו בתנאי קודם למעשה סוף סוף אינו יכול לבטל אמירת המעשה שבתחילה אע"פ שכל הדברות האמרות קודם לנתינת הנט לידה לא מהני לפוסקי' הנ"ל דסברי דאמירת המעשה הוא כעשייתו. ומה שרום כ"ת הגאון רצה לתקן בג' תיבות על תנאי זה שבס"ג מהר"י מיינץ ועל מנת שבס"ג שלפנינו לא ירדתי לסוף דעתו הרחבה כיון שפ"א כבר אמר המעשה אין לו תיקון אח"כ באמירת תנאי ב"ג וב"ר בתנאי קודם למעשה וכמ"ש"ל ואני לא באתי לקפחו בהלכה אלא להשתעשע באמרוי החביבים עלי למאוד וראוי' למי שאמרם וע"ד גט על תנאי הבעל כבר הלך לדרכו אפס ודבר אמת בלבו כתיב אני אומר בטח מהטעמי' שבכתבי הקדום לכשתבוא עוד כזה לידי לא אטול עטרה לעצמי להזדקק לדבר שאינו מצוי ולא ראיתי מעשה מרבתי וחבירי. וגם בלבוש כתב בפשיטות דהאידינא אין נותנין שום גט על תנאי ומי שלבו שלם בדבר יעשנו ותו לא מדי ומעין הפתיחה יהי' החתימה לתת לו חן וחסד שנתן על דברי עיונו ודעתו הרמה וכמוהו כמוני תמיד לבי לתורתו הומה. וה' יסבי' על ידינו לתת חלקינו בתורתו התמימה כד' הקשור בעבותות אהבת דוד הק'

באדר הסמוך לניסן. לעולם יהי' חוסן. להמוכתר בנימוסין שלשלת היוחסן ה"ה כבוד אהובי ידידי וחביבי הרב הגאון הגדול המפורסם סי' ע"ה פה"ח אב"ד ור"מ כ' מהור"ר שאול נר"ו.

אחר הכתיבה והחתימה נתמלא ביתי אורה שמצאתי בספר משנה למלך בפ"ו מהלכות אישות כל הפלפול והוויכות שבינינו דבר אחד ממנו לא נעדר, ונתתי הודאה להשב"ה ובש"ה שזכינו לכוין לדעת הגדולים ושל' ומצאתי און לי בשו"ת שבות יעקב חלק אה"ע סי' קט"ו בשם הגאון מהו" נפתלי כ"ץ זצ"ל שהי' אב"ד בפ"פ לא רצה להכריע למעשה

בא" שהרחיק נדוד לפי שלא ראה מעשה מרבותיו שסדרו גמ ע"פ צוואת הבעל שהרחיק נדוד וגם בית חמיו הנאוני' ז"ל לא רצו להכריע ובפרט בנט על תנאי שגם

XVI.

שער הספר" לשון זהב" אשר נמצא בין איזה אגרות בעקד הספ' אדלער.

לה' הארץ ומלואה משה בלא"א הדיין מהו' טעבלי שיף כ"ץ שליט"א פ"פ דמיין (למטה מזה): זה הספר שייך לא"א הרב המפו" אב"ד ור"מ נ"י עה"י פה"ח מהו' טעבלי שיף כ"ץ נר"ו. נאם הכותב בנו הק" משה כ"ץ שיף.

¹⁶⁷ אנא אורך ה" אלדי מלך מלא רחמים שזכנתי להעתיק הספר הזה ולגמרו בכי טוב כ"ח שבט ונתת לי דעת להוסיף עוד נופך משלי מה שחדשתי בתורתך נא זכור לי זכות התורה וזכות המחבר הזה שאזכה לקיים ולמדתם את בניכם לדבר במ רבנין וחתני דרבנין.

זה הספר בא לידי להעתיקו ולהביאו לידי דפוס בע"ה ביום ש"ק ל"ו למ"בי שנת תק"פ לפ"ק ונא ה" אלקי זכור נא לי זכות התורה וזכות אבותי וזכות בעל המחבר ספר הזה שאזכה ללמד הספר הזה ושאר ספרים ולגדל בני לתורה ויקויים בי ואני זאת בריתי וכו' אמן כן יאמר האל.

(ואחר איזה דפים רפים נמצא כזה:)

בעזה"י ב'ה ובשה"ג: 'לשון זהב'.

חדושים שאעלה אי"ה במעודתי אכתוב על הלוח חרות. למשמרת לדורות. ואתפלל ליוצר המאורת. שלא יהי' בכל הדברים שאחדש בס"ד, האמת נעדרת. כלו תפלות.

דוד הק" טעבלי כ"ץ שיף.

Letter XVII.

שתי אגרות מהג' ר' ישעי' ברלין להג' ר' טעבלי.

I. א"ע

בע"ד יו' ב" ד"ו תמוז תקמ"ה ל' ברעסלוי.

אל החריף ומקשה כר'ז וכרבה בר" מתנה מסיק ומתון שייף עייל וענותן. אב בית דין נחית לעומקא כר" נתן [בב"ק נ"ג. מתוך דברי

כנראה זה נכתב ע"י ר' גבריאל אדלער ז"ל הרב דק"ק מיירינגען ¹⁶⁷ מ"ול הספר לשון זהב.

רש"י שהתחיל דבורו ר" נתן אב בית דין במס' הוריות בסופה עכ"ל מוכח שהי' גרסתו כך בגמר' ולא כדאי' לפנינו ר"נ דיינא הוא ונחות לעומק' דיינא ולכאור' מסתבר' כגר' רש"י דלג' שלפננו יש לדקדק קצת אטו משום דריינ' הוא תל' בהכרח דנחית לעומק' והלא מצינו יבמות ק"ו. כתובות כ"א. בב"ב קל"ח: דחיישינן לבר"מ.^{167a} אבל לגרס' רש"י יתכן למאור ע"פ דאמרינן נדה י"ז: רבי ריש מתיבת' ושכיחי רבנן קמי' ומחדדי שמעתת' איברי בב"מ קי"ז: חזינן מתוך דברי רש"י דלאו להכי נתכווין, שהרי שם כתב רש"י בהתחלת דבורו דריינ' הוא כדאמרינן בהוריו' בפרק בתרא עכ"ל הרי שהי' גרסתו כדאי' לפנינו אולם לא ידענו מה בעי רש"י בזה שכתב כדאמרי' בהוריו' וכו' לעדות הוא צריך הלא הרבה דייני בישראל שכיחי, בשלמא לגרסת אב"ד דלאו כולי עלמי זוכין איצטריך קצת דאי' ממקום אחר, אבל לשיהי' דיינא בעלמא בגלוי מלת' מהבא סגי' נדע שהרי בב"ק ל"ט. דאיתמר עלי' דר' בר' דיינא הוא וכו' (וגם רש"י לא הביא שום אות ומופת ממקו' אחר לראי') [[מרביין לתלמידים תמידים כהלכתן, עוסק בתורה לשמה למען עשות, ה'ה ש"ב הרב הגאון הגדול מאהבי כדוד ויונתן, החרוף ובקי עצה ותושי' ממנו נהני' ויאותן. ר"מ ואב"ד נר' יאיר עד עולם קנו בסלע ויהי מושבו איתן, בימיו ובימינו ירושלם וציון על מכונם נזכה לראותן.

מה נכבד היום ביו' אשר השיג' ידי מפעלי ידיו הרמה תעלזונה כליותי בשמחת הלב בראותי שלוות צדיקי' דאכלי תרי עלמי' ושמחתי עוד במאמרי פיו באוריית' דילי' דולה ומשקה לרוות צמאון במי' מתוקי' היוצאי' מפי כהן גדול. (א) וזה יצא ראשונה בסוגי' דפסחי': עלצו רעיוני כי כוונתי לדעת גדול ב"ה וכבר רשומה אתי בחיבורי תקוני כלי שרת דנראה דכך צריך להיו' שהרי משה עומד בפסח ראשון ומוזהיר על פסח שני שנאמר וידבר משה אל בני ישראל לעשות הפסח (בפסוק ד") ובתיב ויהי אנשים אשר היו וכו' ועולה הכל הטיב להמעין בפסוקי' ואשר השיב מעלת ש"ב הגאון החרוף נר' בענינ' דחנוכה בחריפתו ובקיאנות, מי יתן הייתי אוכל (יכול) להעתיק את כל מה שכתבתי באריכות בקונטרס מיוחד לזה. אז ראה ויספרה גם חקר' כי גם במ"ש מהרש"א במה שגזרו על עכו"ם שיהי' כזבי' וכו' הצבתי יד שאינם מוכרחים. והדברים ארוכים ונמשכי' ואינם כעת ענין להם. (ב) ומ"ש מר בענין התורה חסה וכו' דתל' במחלוקת' שנויי' דלמ'ד צער ב'ח דאוריית' אפשר אין הטעם

ר"ת לבית דין טועין ^{167a}

שהתורה חסה על מש"י אלא משום צער ב"ח וכו' דבר שכלי הוא אף כי דחוק קצת דר' אלעזר שהוא אמוראן, במנחות ע"ו: יחלוק על רבנן ור"ש דאמרו בב"מ ומדבריהם נכרע דצב"ח דאוריית' וס"ל לר' אלעזר דר" יוסי הגלילי יחידאה, ובדבר אשר הער' מעלתו להמציא ילפות' מן התור' דמצינו צב"ח שאסור' והי' טעמו כטעם המ'נ שכתב המור' נבוכי' בח'ג רמז ממה שאמר המלאך לבלעם על מה הכית את אתונך וגו' (וקצת בעי חקיר' מה'ת יתחייבו ב"נ על זה והיכי רמיז' דבר זה בכלל שבע מצות שלהם הנה הראה מעלתו בקיאתו כי לא ידע מ"נ הוא, לא זה ה"א דצב"ח אתי' מקרא ורחמיו על כל מעשיו וכתבאר ברבי בב"מ ד"פה. וכעובד' דר' בן לוי בברכו' ז'. לאו אורח ארעא למעבד הכי ורחמיו על כל מעשיו כתיב וכתוב גם וכו' [ומצוה ליתן טעם על שני גדולה דבע"ז ז: וכן בסנה' ק"ה: לית' הכי אלא רק דכתיב גם וכו'] וסגי' דסנה' דאת' לידן דאמר שם ק"ה. ומ'ר בא על אתונו כתיב הכא כרע שכב וכתיב התם וכו' וכתבתי בתיקוני כלי שרת הרוא' בפסוק בפ' בלק ד"ז פ"ט יראה דכרע שכב גו' בברכה לישראל הוא דנאמרה ומה'ט בקשו לקבוע בפ' ק"ש כדאית' ברכות יב". ואין להך כרע שכב ענין לבלעם כלל. גם פריש' בנמ' על זה צריך מובן. ואין כאן מקום להאריך].

ועל יתר הדברים אשר ערכתי על גבי מזבח קדשו והסכי' מר על ידי ששתי כעל כל הון על שמצאו דברי חן בעיניו עין רואה ואוזן שומע' והיא תהילתי.

ועתה זו תורה דילי' אשר האציל מכבודו הרמה עלי' כל חיך שטועמו אומר לי לי בהדין אכסני' טבא דאמר כל מה שטרח בה"ב לא טרח אלא בשבילי. (ג) בדברי קדשו בסוגי' דזבחי' ה'. העלה מרגנית' ולבסוף תמה על הר' חיים שהביאו תוס' הן כביר מצאו ידו. ומה כחי להביא נפשי בסודו בזה לפום חומר הנושא אמרתי אולי יערב לפניו לקיים את דברי הר' חיים שלא בא הרר'ח לקיי' הגרס' אלא רק להשיג אפרש' שכתב ד'ה שכן טעוני' נסכי' ולא גרסי' סמיכ' דאשם נמי טעון סמיכה ע"כ על זה בא הרר'ח כמישיג דלא מהאי טעמא דרש' ההכרח למחוק שהרי שפיר נוכל לומר דזקוק סמיכה משום אשם מצורע. (ד) והדבר אשר יקשה ממנו שם עלה ט". בתוס' ד'ה דלא לבעי נסכי' וכו', יאמנו דברי גם לדידי הוי קשה שני דיבורי תוס' הללו אשר העלה ואשר הביא מעלתו ש"ב הנאון נר', ופלפלנו בחכמה ולא עלתה בידן די השב.

דף I ע"ב.

וכבר כתבתי על גליון הש"ס דפ"פ דמיין אשר לפני במשנה דזבחי
פ"ט. השלמי' קודמין מפני שהן טעונין מתן ארבע וכו' נ"ב וסמיכה כצ"ל
וכן איתא במשנה במשניות ובפי' הר"ב ותו' יט שם, אכן בתמורה דף י"ז:
יראתי לשלוח יד להגיה' דצ"ל מתן ארבע' משום דגם במשנה דבמשניות
לא נמצא, עכ"פ שבעה נפשי בשובע שמחות, אחרי ראי עיניו כיוני' על
אפיקי מים על כל פקוחות. (ה) עוד חשף זרוע קדשו לכתוב על קושי'
קול רמ"ז מזבחי' ע"ה: דאין כאן קושי' עפמ"ש תו' גיטין עז. וכו' וכן
בתו' דיבמות ק"ד. ד"ה א"ר יוחנן וכו' ומן תו' הללו הביא בס' תחלת
חכמה בזה"ל לפעמי' יכול לתרין תירוץ אחר יותר מרווח אלא שמה
שתירין עתה צריך לתרין איכ' שעיר נשיא לכך הכא בזבחים אע"ג דמצי
לתרין איכי שעירי ר"ח ורגלי' משני נמי איכא שעיר נשיא, כ"נ נכון זהו
תורף דברי מעלתו ש"ב ההג" נר"י, ואני אמרתי להציל במקו' שיש מצילין
דמהכרח לומר בתירוץ של הגאון קול רמז ע"פ התו' שכתב שם, דאי לאו
הכי מקשה שפיר, דהנה לא לבד דעפמ"ש תו' ביבמות ק"ד. אין סתירה
אדרבה אפי' ראי' יש ממ"ש בתירוצם השני' אי נמי כיון שיש לחוש וכו'
הרי דלא ניחא להו לומר משו' דהאי שינויא משני בכמה דוכתי וכו' וא"כ
שאלת הקול רמ"ז להך תירוצא שניי' שכתבו תו'. גם מתו' גיטין ע"ז.
אין ראי' דמאחר דאינהו כתבי סוגי' כזו היכא שגם השינוי שתירין הש"ס
הוא מרווח וטוב אז אמרי' הך סוגי' הואיל וצריך לתרין כה"ג במקום אחר
הילכך משני לי' נמי הכא הכי. משא"כ נדון שדן עליה הקול רמז והקדים
לצאת בתחילת דבריו בזה"ל הא קשיא דכתבו שעיר נשיא שהוא תלוי בחטא
ושמא לא יבוא לעולם וכו' ועל היסוד הזה תמה הקול רמז גם אגמר' דמשני
שעיר נשיא והיינו דרך רחוקה ואפשר שלא יבא לעולם, כל מדה נכונה
דעדיפה ה"ל לתרין בדבר ההוא ורגיל מידי חודש בחדשו ושעירי הרגלים.
(ו) ובגליון המחזור בקדושת מוסף ליו' א" של ר"ה בהמפרש שם ד"ה הן
מוספי חדש עשתי עשרה וכו' וז" כבשים הרי י'א ובשביל שהוא ר"ח
כצ"ל כלומר דלעיל דאמר שי מוספי עשרה היינו מוספי ראש השנה
שהי' פר אחד איל אחד ז" כבשים ושעיר אחד ועולה מספרם אחד עשר
ומזה הוכיחו תו' בשם ר"ת נגד רבינו משולם ע" ר"ה ח: ד"ה שהחדש
וכו' וז"ש התו' בשם התוספת' דריש שבועו' שלשי' שעירים מקריבים
ישראל בכל שנה וכו' כתבתי בתיקוני כלי שרת דצ"ל שלשים ושתים, גם
מ"ש תו' ביצה ט"ז. ד"ה איזהו וכו' בשם התוספת' ל"ו שעירים וכו'

מעות וצ"ל ל"ב שעירים כי כך בצדק יש (בתוספת?) בחשבון י"ב שעירים ל"ב חדשי השנה ז' בפסח ושמונה בחג ב' ביום הכפורי' אחד בר"ה ושנים בעצרת אחד בגלל לחם הפנים (כתבתי בחיבורי תנא תוספאה דצ"ל אחד בגלל שתי הלחם) ואחד בגלל היום] והילכך שפיר מקשה הק"ר ומשני היטב ע"פ הת"כ נכון. וגם אם נניח זה ליסוד מוסד דהיכא דהוכרח לתרין כה'ג במקו' משני גם הכא הכי, אכתי יש לחלק בין הנושאי' שהרי אפי' בתמור' לא משני אלא בתחלת הסוגי' דאיכ' שעיר נשיא אבל למסקנא של אי בעית אימ' ומוכרח הוא מדלא קתני כל הקרבנות אלא יש בקרבנות קתני כוונתו דווקא אשלמים אי בעי נקבה מייתי ואי בעי זכר מייתי, שוב אא"צ כלל לתירוצא של הת"כ שעיר נשיא ובהצטרפות כל האמורים הניתן למעלה ומתובתי' דמר יצא בדימוס, הגאון בעל קול הרמז, ברם לא אכחד מה שהק"ר לפני בתחילת חיבורי יש סדר למשנה אמרתי ליתן עין עיוני בכל דיבור ודיבור על מ'ש ויסד בקול רמז. (ז) ומצאתי במשנה א" דברכות כתב הק"ר ד"ה ליום אחד כו' וכ'ש הנאכלים לשני ימים ולילה אחד דגזרו בהו דאריך זמניהו ע"כ חליל' ששנג הגאון בכוונת הנאכלים לשני ימים ולילה אחד שאותה לילה הוי אחר שני ימים והי' מכוון דכ"ש בהא דאריך זמניהו דגזרו שלא לאכול אלא עד חצות, הס כי לא להזכיר שהרי אפילו לתינוקו' שב"ר יודעי' כי הלילה בין שני הימי' היא אע"כ דכוונת הק"ר דעברו הרחקה

דף ב" ע"א.

בס"ד.

שלא לאכלו אלא עד חצי היום, מיהו גם אם לזה נתכוון מ"מ במחילה מכבוד עצמותיו כתב נגד האמת שהרי כבר כתבו תוס' בזבחי' נ"ו: ד"ה להרחיק לנאכלין לשני ימי' ולילה א" לא עשו חכמי' הרחק' עד חצות דניכר הוא מתי יהי' שקיעת החמה וכו'. (ח) עוד זרועו נטוי' בשפתי צדיק ידעון רצון להשיב על קושיו' המ'ל פי'א מהל' שבת דלמאי איצטריך תקריב אפי' בשבת וכו' וע"ז כתב מר ש"ב ההג' ליישב דאיצטריך ביטביל ראשו של תמיד שאינו בכלל הפשט וניתוח וקרב עם עורו כמ'ש רש"י בזבחי' פ"ה: יהי' נא לרצון לפניו מ'ש בזה בס"ד ודאי ברור שראשו של תמיד אינו בהפשט כמבואר בתמיד פ"ד מ"ב הגיע לחזה התך לפי המבואר בנזיר מ"א. וכן ביטא דוכתי וביתר ביאור בנזיר נ"ח. ומי כתיב קרא הכי והאמר ר"ל כל מקום שאתה מוצא עשה ול"ת אם אתה

יכול לקי' שניהם מוטב ויע"ש בפיר"ש הטיב דלא יתיר התורה לעשות מצוה דרך איסור אם אפשר לקיימו העשה בדרכי ההיתר יע"ש והשת' לב"ש (לב"ש?) בראשו של עולה דלא מצינו הראש שוב בכלל ההפשטה. ומעתה ודאי עולת תמיד בשבת יש להפשיט גם את הראש כדי לקיים מצות מליחה בהיתר ובהפשטה זו ליכא שום חילול שבת כמו במילה בשבת קל"ג: דכל זמן שהוא עוסק במילה חוזר בין על ציצ' המעכבין ובין שאינן מעכבין ולא מבעי' לחכמי' שם דאף שכבר פירש חוזר אפי' למה שאינו מעכב מכ"ש שרשאי להפשיט מתמיד אע"ג שכבר הותז. אלא אפי' לר"י בנו של ר"י ב"ב דס"ל פירש אינו חוזר מ"מ כדי למנוע איסור דאוריית' דהיינו עיבוד העור במליחה ברור דעדיפ' שלא לחתוך הראש אלא בשעה שהוא מתחיל לפשוט מן הרגלים (כדאי' בתמיד פ"ד מ"ב) יהי' מפשיט את כולו וזה שרי שהרי לא פירש ולשיטת רבב"ה אר"י מותר לגמרי כמו במילה כל זמן שהוא עוסק אפי' על ציצ' שאינן מעכבין כלל ומעתה כל מדה נכונה בקרבן תמיד שהפשיטו דוחה שבת שמפשיט את כולו וליכ' תו שום איסור במליחת הראש ולפיכך התהלך המ'ל בדרך רחבה דאיצטריך תקריב לשעלתה ע"ג המזבח ונפסלה בקודש וכו'. וא"כ אי אפשר בענין כי אם למלוח עם העור דכיון שכל הפשטה של אותו קרבן שנפסל אינו דוחה שבת א"כ כשיפשיט עובר ג"כ מדאוריית'. ולכן אתי' קר" דתקריב להתיר מליחת קרבן שנפסל עם עורה אע"ג שיש בה משום עיבוד, משא"כ בראשו של תמיד שעיקר ההפשט שלו דוח' שבת א"כ גם בראשו ודאי שרי ההפשט וכדאמרן, הגם ידעתי כי בדרך השני שכתב המ'ל בשם מהר"י בשעירי הרגלי' וכו' אינו סובר כך אבל ידע כי מבלעדי זאת יש לפקפק טוב' בדרך השני שכתב דאיצטריך קרא למשרי מליחה אם רצו לאוכלם בעורם מה"ת לומר דהתור' יתיר מלאכת עיבוד מפני אדם זה שבטלה דעתו ורוצה לאכול את העור מה שאין שארי ב"א אוכלי' (וכבר כתבתי לעיל מסוגי' דנזיר נח. דאפי' בעדיפ' מזו אין לומר הכי) ותו אם רוצה לאכול את העור א"כ הדרינן לקמיית' דגם עיבוד אין בו, שהרי אין עיבוד באוכלין אע"כ צא"ל אף שהוא אוכל את העור מ"מ בטלה דעתו, גם הראי' שהביא מת"כ דתני' התם רצו להפשיט מפשיטין רצו לאוכלם אוכלי' אותם ואת עורותיהם. אין ראי' החלטית דשפיר אפשר לומר דהתם בחול איירי ואיצטריך למשריי' דלא נימא דאין זה בכלל למשחה לגדולה ולכן דרך הראשון נח לי, וכ"מ קצת מדברי המ"ל בעצמו בפ"א מה"ת תמידין דין ז' שכתב תי' הראשון שהשיב מהר"י הנ"ל

ומתעסק בה. הן כל אלה כתבתי כי אהבתי את אדוני האמת וסודותיו. אמנם בגוף הקושי איכ' למימר עוד שנשביל ראשו של תמיד לא איצטריך תקריב למולחו בעורו משום דקרבן תמיד צריך להיות דווקא בן שנתו ולעולא דאמר בחולין קנ"ב. דראש של עגל הך עורו כבשרו ממש היינו בן שנתו, כלומר דכל שנה ראשונה ראשו מקרי רך ועורו מראשו כבשרו ולפי אותה משנה דקתני והעור של ראש העגל הך מיקרי אכילה ממש לטומאה ולענין פיגול כדאי' בסוגי' דשם קדב": משום ר"ש יע"ש וכ"כ רש"י בפסחים מ"ו. ד"ה כולן וכו' מפני שהוא רך ודרכו לאכלו. וכ"כ תו' בפסחים פ"ד. ד"ה הא וכו' שבעור הראש של עגל הך יש לו טעם בשר.

דף ב" ע"ב.

בס"ד.

והדרינן לכללא דאין עיבוד באוכלין דהא עור הראש של עגל בן שנתו סתמא לאכילה קיימ' דלהכי עורו כבשרו לענין טומאה ופיגול (רק כשהפשיט העור ומעברו בידים או שהילך בו כדי עבודה תנא סיפ' דמתני' דלא מיקרי עור כבשר) לכך הוכרח לתרץ בשאר קרבנות ומשו' העור דעל כל גוף הקרבן איצטריך תקריב אפילו בשבת ולולא יראתי האריכות. (ט) הודעתי בזה מ"ש על אשר נשאלתי מהרב הגדול מהו' איצק פ"ב נר' חתן בעל אחותי הגאון זכרון יוסף זצ"ל לשיטת ר"ג ור"ח במנחות ק"א. ד"ה אבל לקדירה דמצות מליחת הקרבן הי' כדי מליחה לצלי, וזה גם בעור ליכא משום עיבוד כדמוכח ביצה י"א. וכ"פ בטוש"ע א"ח סי' תצ"ט סעי' ג' ובמג"א גם הרמב"ם פסק כהגאוני' בפ"ה מהל' איסורי מובח דין י"א דמלחו כדי מליחת צלי א"כ קשי' למאי דאיצטריך תקריב אפי' בשבת, והשבתי אליו בביאור כמה סוגיו' ודרכי הפוסקי' בענין אין עיבוד באוכלין ויחדתי בס"ד קונטרס על אלה דברי' הדברי'. (י) ובתוך הענין עיבוד כתבתי על מ"ש הרב המגיד בפ"ז מהל' מאכלות אסורות דין בזה"ל ומ"ש רבינו ומניחו במלחו כדי הילוך מיל ונראה שיש סמך לשיעור של רבינו ממ"ש גבי עיבוד העור וכמה כדי עבודה כדי הילוך מיל וכו' ילפינן מהתם דמליחה היינו עיבוד וכו' נראה שהוא שיעור עיבוד כדי הילוך מיל יע"ש גם הלח"מ האריך לברר דברי הה"מ, והבי' בי"ד סי' ס"ט הביא דברי הה"מ יע"ש. והנה כל הנביאים הללו מתנבאים כסגנון אחד ממ"ש גבי עיבוד העור וכמה כדי הילוך מיל, ותמוה למאוד

שהרי נתברר להדי' בפסחי' מ'ז. ובחולין קכ"ב: וכמה כדי עבודה כדי הילוך ד' מילין וכ"כ הרמב"מ בפ"א מהל' אבות הטומאה דין ט', ואי אפשר לומר שהי' להם גרס' אחרת שהרי הש"ס קחשיב ד" דברים לגבל ולתהלה ולנ"י ולעבודה ובכל הני ד' דקחשיב נתבאר בכל הפוסקי' שהן ארבעה מילין וכ"כ הרמב"ם בכל דינים הללו מענין לגבל בפ"ה מהל' ביכורי' דין י'א ענין לתהלה בפ"ד מהל' תפלה דין ב' (רק דין נטילת ידי' עד כה לא מצאתיו נזכר בהרמב"ם ובמחילה מכבוד בעל עין משפט בחולין קכ"ב: שציון אבג"מ מ"י פ"ו מהל' ברכות העיד על מה שלא ראה וידע. וכן בבאר הגולה בש"ע א"ח סי' קס"ג אהא דכתב המחבר בתחילת סימן אם אין מים מצויי' וכו' ציין באר הגולה רמב"ם פ"ו מהל' ברכות, גם אליו בקשתי סליחה שהעיד על מה דלית' דאית' ואדרב' המעיין בב'י סי' קס"ג יראה וימצא דהרמב"ם מתיר בכל ענין, ומעתה צ"ע שלא זכרו הרמב"ם) ודקדקתי עוד בר"שי נדה נ"ה. ד"ה שעבד וכו' והנה קצת מתמיהות הללו נשמעו בית הרב הה"גאב"ד מפראג אשר הגיד לו אורח אחד משמי וכתב בתשובתו נודע ביהוד' ישוב לפי חומר הענין, אולם אין מספיק לפמ"ש רש"י בעצמו בפסחי' מ'ז. ועד כדין נתחבטו כמה בעלי תריסין בתמיה רבה הנ"ל שזכרתי, ואני בחבורי הפלאה שבערכין שחברתי בס"ד על הערוך אשר הניחו לי מקום להתגדר בו הארכתי בס"ד בערך גבל בכמה ענפים המסתעפים מאילן גדול, ואין כאן מקום לקבל ארוך (אריך). (יא) הראני ידו הגדולה שמשנתו סדורה לו בפיו וכל רז לא אניס לי' והביא לדוגמ' מה שכתב בגליון דמאי מ"ג פ"א ע"פ התוספת' שהעתיקו הר"ש, יפה כוחו ואשריו דנחית ודייק ואני אשחרהו יתן נא עין עיונו על התוספת' ההיא שכולה מוקשה בענין הלזה של תוס' ביכורים ועיטור ביכורים וצריכ' תיקון והג"ה. והנה בתנא תוספאה שיחדתי בס"ד על התוספתות הנהתי ומצאתי במקצה לכוון ע"פ שליחת יד וכעת אעמדה ואשמעה קולו קול גדול היכן דעתו הרמה נוטה. (יב) עוד הראה לי בקיאותו הרב אהא שכתב התוי"ט במעשר שני פ"ה מ"ב ולא נתתיו כו' לא ידעתי ממאי מפיך וכתב מעלתו לראות בפ"י הרמב"ן בחומש י"שר חילו ארי' (לאורי'?) וכך כתובה לפני בגליון המשני' מאז אשר יסדתי מיני תרנימא להעמיק עמקי תרגו' אונקלוס ותר"י והי' לי לעזר בהרב' מקו' חיבור הרמב"ן אשר כנבוד לרוץ תמיד לפרש עמוקו' וסודו' של הת"א וד' הי' בעזרי להעמיד חיבור שלם היוצא לדינ' כשנחבר יחד הגמ' ות"א. (יג) בדבר הפליאה שהער' מר ע"פ הרמב"ן בפ' תצא דאין עובר

בלא יבבר אלא דווקא בחיי הבכור, ולמה לא זכרהו אחד מהפוסקי' ומסיק מר אולי הוא בכלל אין למידן מן ההלכו' ולא מן הנדות, הנה מצד שאוהב לפרוק דחיק מר נפשי' אע"ג שאין זה מספיק אחרי דהרמב"ן נקט בלישני' יראה לי וכו' והיינו להלכה ולמעשה, ולבר מן דין כבר פלפלתי בחכמה עם הה"ג מהרי"ח אב"ד מפראג וכן עם הה"ג מהר"ש אב"ד דק"ק אמ"ש ועלה בידן דכל כמה דלא מצינו בש"ס דילן להיפך אז שפיר ומוכרחין ללמוד

דף 3 ע"א.

בס"ד.

וחייבין ללמוד דיני' אף מן האגדות, וכתבתי מ"ש החכם צבי סי' מ"ט על קושיי' מהר"ל מפראג מהאמור דער ד' שנין לא מענישין בב"ד של מעלה יע"ש וכתב עליו הגאון ח"צ הנ"ל דדברי אגדה הם ואין משיבין מן האגדה, לא לבד שאין זה מדברי אגדה שהרי כתב הרמב"ם בפירושו למישה בפי"ז דסנהדרין בסוף המשנה בזה"ל מפי השמועה למדו שהקב"ה לא יענש וכו' ואולי אם ראה הח"צ דברי הרמב"ם הללו שהחליט דבר זה כמו בכל פסקי הלכות שכתב עליהן מפי השמועה למדו, לא כתב הכי אלא גם בלא"ה חלילה לנו לדחות אפי' אות אחת גם מן האגדות ומחויבין אנו להעמידה על האמת שלא יהי' מוקשה ובכמה מקומות ילפינן מאגדה הלכת' ואחת מהנה אפרט מ"ש תו' ע"ז ל"ג: ד"ה כסא וכו' והביאו ראי' ממלישנת המן. והארכתי טוב' גם במ"ש בתשוב' שבות יעקב ח"ב סי' קמ"ט וגם במ"ש מאד' דודי זקני התו"ט ז"ל פ"ה דברכות מ"ד ד"ה ואם הבטחתו וכו' ואי אפשר לי לפורטם אפי' קצת ממקצת מכל מה שבארתי בס"ד בענין זה, ולולא דבריו של גדול ה"נ ש"ב הה"נ אמרתי דלא כתב הרמב"ן אלא לענין עבירת הלאו שאינו עובר בלא יכול לברר רק כשהבכור קיים אכן עשה ודאי איכא וכן משמעות לשון הרמב"ן וכן דעת ר"י אבוהב המפרש ולהכי לא הזכירו הפוסקי' לדינ' משום דבין כך ובין כך עובר בעשה ואולי גם הרמב"ם השמיטו בעבור זה (דאין לוקה על לאו זה דאין בו מעשה כ"נ לפום ריהט'). (יד) בדברות האחרונות שכתב מר להשיג על המ"ל בענין ישיבה בעזרה שהרי ודאי צא"ל דתני ושייר במשנה כמה דברי' כמו שזכרב מעלתו, ודאי נאמר בו כי טוב, ואין אתי זמן מסכים בעת, היות הבח' השלם ונכון כהרנ' שי' נחין לדרכו ואין עלי' לאמר מה מעשיך, גם אור עיני נלאה זמן מה כאבו עיני, ובכן אחלה פני מעלת ש"ב

הה"גני יערב לפניו כתבי ולשוני המנומגמים קצת כי הלחץ והכאב זה וזה גרמו ואני בחפזי רב, אחלה שיחי לפניו יערב, ש"ב לטובתו השכם והערב בכל לב ונפש וקרב שחר וערב, הק" ישעי' בערלין בהנאון יחיד בדורו מהו'ל זצ"ל.

ושלום לכל שוכני דגלו ומשחרי אחריו וי"ח ש"י ותי' כה'ג מבב". לעורר קצת מהחדשות, בסוגי' דערכין י"א. השיר מעכב את הקרבן וכו' מה כפרה ביום אף שירה ביום. הנה למה דק'ל באין חולק דאין היקש למחצה צריך ביאור דאכתי למה איפליגו רבנן עלה דר'מ שהרי גם במעכב מצאנו למילף מהקישא וכיוצא בזה הקשו תו' בב'מ קי"ד. ד"ה ואידך וכו' ותירוצם דהתם אין לו שייכות הכא, ובהשקפה ראשונה לטוב' רציתי לומר עפמ"ש תו' ד"ה השיר וכו' דהיינו ניסוך וא"כ למה דק'ל בתמורה י"ד. מקרא דנסכי' אפי' בלילה והשת' דילפי' דשירה ביו' שוב אין לומר דמעכב אמנם גם זה אינו מספיק לפי מה דק'ל לקמן בערכין י"ב. דנסכי' הבאי' בפ"ע אינם טעוני' שירה ואפי' כשמנסכי' ביום וא"כ השיר דמעכב הניסוך דקאמר ר"מ היינו בנסכי' הבאי' עם הזבח, וא"כ הדרי קושי' לדוכתי' וכתבתי בס"ד אופן הנאמת. ויראתי לטרדו עד עת בא דברו.

עוד זאת אחדש והיא מצער וזכי נפשי להציע לפניו סוגי' זבחי' ק"ו: אתא לקמי' דרבא וכו' מה לנבלה שכן מטמא משרצים טמאין מה לשרצים טמאין שמטמאין במשהו טומאתן בכעדרשה אבל חלב בכזית וכו' וכמו כן נחשבה שהרי חלב אינו מטמא כלל כמבואר (בתור?) יעשה לכל מלאכה וכדאי' פסחי' ק"ג. ובסוגיין דהכא דטהור הוא לגמרי, ואין מפרשין לחכם כי ב"ה יאריך ימיו ויאר עיניו בתוספת מאה ועשרים בכולהן על טהרת הקודש ושפע הצלחות ורב ברכות מלא אומר בגדיש . . .

Letter XVIII.

לכבוד ש"ב הרב הנאון המפורס' מהר"ט כ"ץ אב"ד בלונדון נר"י.

בס"ד יו' ד' ג" אדר תקמ"ז ל' ברעסלוי.

אל כבוד הרב אב"ד ור"מ מדברנא דאומתי' בוצינא דנהורא [לשון רש"י בכתובו' י"ד ד"ה בוצינא וכו' כדאמרי' בב' בתר' שופרי' דר' אבהו מעין שופרי' דר' יוחנן וכו' דברי' הללו נעלמי' מאתי שהרי בבב" נח. ליחא אלא מעין שופרי' דיעקב אבינו והנה לשון רש"י בסנהד"י"ד. ד"ה

בוצינ' וכו' תקנתי דצ'ל מעין שופרי' דיעקב, ותיבת דר' יוחנן איתרמי בטעות הדפוס, אמנם ברש'י דהכא בכתובו' דסיי' דנפקי זיהרורי מיני' כדמפרש התם, והנה לא לבד בב' ליתא אלא דבב"מ פ"ד. נתבאר להדי' טעמי' דלא קחשיב שופרי' דר' יוחנן אע"ג דנפקי זיהרורי מיני' ולולא דמסתפינא ה"א דתלמוד א" כתב זה על צדו ונעתק אח"כ לפנינו וכה"ג בקצת מהכרח לומר כזה באותו עמוד ד"ה תורמסין ברש"י שכתב לא איתפרש, ואח"כ נדפס עוד ברש"י ד"ה תורמסין כי ההוא דאמר בב"ר וכו' ואם כל אלה דברי רש"י הם פלא דמתחילה כתב דלא אתפרש (וכמ"ש ג"כ בסנהדר' י"ד. וסיי' בהא דלא איתפרש), ובתוך כדי דיבורו הזכיר כי לא פורש, ותו שני דיבורי' בדיבור אחד יאמר ולמה זה ההפסקות משמשות, ואם כה נאמר בדוחק דחסר ברש"י תיבות ויש מפרש' כי ההיא דאמרינ' בב"ר וכו' אך גם בזה אינו מעלה ארוכה דא"כ למה כתב רש"י מתחילה לא איתפרש ולמה לא נחא ל' בהך דיש מפרש"י] ש"ב הרב הגאון הגדול המפורס' עוסק בתורה תדירא בקי במקרא ובמשנה ובגמרא בנן של קדושי' [בפסחי' ק"ד. לפי מה שכתב הרשב"ם ד"ה ר' מנחם בר' סימאי וכו' על כרח' דלא הי' בגרסתו מה דאי' לפנינו שם בסוגי', אמאי קרי ל' וכו' אכן מדברי תוס' ד"ה דלא מסתכל וכו' מוכח בגרסא שלפנינו ובתוס' שבת קמ"ט. ד"ה ודאקני וכו' אבל מטבע מותר כדמשמע מבנן של קדושי' וכו' ציין המרשי' ע"ז דף נ"ג ומן המוקדם עדיפא הי' להרשי' פסחי' ק"ד. ודאתן עלה לכאורה סותר דברי תוס' דשבת דהוכיחו דשל מ' (מטבע) מותר (וכ"כ הראש לדינא) ברם לפמ"ש תוס' בע"ז נ" ד"ה ה'ג דתירצו דברבר שהוא רגיל לראות בה תדיר לא שייך הפנאה יע"ש, טוב לא מוכח מידי דשל מ' מותר, ויש לעיין בזה לדינא בב'י ובש"כ י"ד סוף סי' קמ"ב וצ"ע, גם לפמ"ש תוס' בע"ז נ". דגרס' מהלך עליהם לשון יחיד קצת יש לדקדק במלת בנן לא שייך אלא ארבי', וברש"י דמ"ק ד"ה: ד"ה דר' מנחם כתב בנן של קדושי', ואולי הי' גרס' רש"י בפסחי' ובע"ז בניו של קדושים ויהי' על נכון לשון יחיד ובגמרא דמ"ק (שלפני דפוס פפ"דמיון) אי' דר' מנחם בר' יוסי ותקנתי דצ'ל ר' מנחם בר' סימאי] באמרי פיו משמח א" ואנשי' בחור גם זקן בישיש' בקהל חסיד' תהלתו ויש שכר לפעולתו. צדיק יחי' באמונתו. עוד ישנא שלוותו, נצח סלה עד יבא מורה צדק לעזרתו. מפעלי ידיו מעשה אומן מפרשת תבא דאשתקד (גוויל כתוב. . . ? .) משני עבריהם ממולא בתרשיש נופך ספיר, הי' לי לשעשועים ובהיו' עד עכשיו לא איתרחש מקום מצוא עד

היו' נזקקין לדבר מצוה רבה עבור אשה קשת רוח גלמודה מבעלה יושבת אלמנה מבלי לחם כאשר יראה מעלת כבוד ש"ב הרב הנאון נר"ו באגרת הדבוק האם לבנה אליעזר מפה המתנורר שמה לכופ אותו בדברים עד יכמרו רחמיו, ויהי' יד חביבנו הק" המעולה ר' אברהם אסטראוויץ במעלה זו לתור ע"י משולחיו אחר האיש הלזה, וימהר תשוב' צדיק מה פעל בזריות למצוה, ועתה באתי על אשר הרא' ידו הגדולה בחרפו' ובקיאות בכל מידי דאית' בשאלה בס' השל'ה, ומה שתירץ מעלתו על שאלתי בענין חלץ ועשה מאמר, דברי שכלי' הם ודילידי' אמי' כוותי' תלד¹⁶⁸ אע"ג דאית לי' פירכ' שהרי עכ"פ אי מפרשינן חלץ ועשה מאמר בויו העיטוף נח' טפי וא"כ מנ"ל לכל הגדולי' ההם דפירושו של ועשה הוי כמו או. הלא כל מה דפשוט מעלי טפי לפרש פשוטו כמשמעו חלץ ועשה בו"י העיטוף והי' העטופי' ללכן שמעתת' כפשוטו [בדבר אשר חזר וניער ממעון קדשו על ענין תרגומות ספק טריפת, להתיר פה מה אדע אשר לא ידע. ומתוקני' טובת' כאח אשר הטיב, להעתיק דברי בעל תשו' מגיד מראשית, ונתתי הודא' על חלקי שכוונתי לבעל הספר, ולדעת ש"ב הנאון הנותן אמרי שפר וע"ד אשר העיר ממזרח צדק ילין בדברי רש"י בחולין יז. ובתים מלאים כל טוב כתלי דחזרי אשתרו להו] ודבר הלמוד מענייני' דמגילה י"ג. במ"ש [תוספ'] קדלי דחזירי וגו' היא לא היתה אוכלת, ולכאור' צריך ביאור שהרי שמואל אמר שהאכילה נקט לישנא דאמר ג"כ רב ור' יוחנן שהאכילה ומשמעו שהאכילה ממש וכפרש' ותו שינוי הגרס' דבחולין איתא כתלי דחזירי והכא גרסי קדלי דחזירי, וכתבתי בהפלאה שבערבין אהא שכתב הערוך בערך קתל בזה'ל בהגדה פ"ק דמגילה וכו' בפ"ק דחולין וכו' ויש ששונין הא דמגילה קדלי דחזירי ונתתי טעם לשינוי גרסתם דא"א לגרוס כתלי דחזירי כמו דא' בחולין ובפי' רשי דהכא ד"ה כתלי וכו' דח"ו היא לא היתה אוכלת דבר טמא אע"כ דגרס' קדלי דחזירי והיינו עורף של חסא, ודבר בעתו מה טוב גדול וקטן שם הוא [שדעת רש"י עולה לדעת הרמב"ם בפ"ח מה' מלכים חלוצי צבא כשיכנסו בגבולי העכו"ם וכו' דמשמע דאפי' כשאין משבע אומו' מותר ליוצאי צבא לאכול שלל דידהו אפי' קדלי דחזירי כמ"ש הרמב"ן בפ' ואתחנן לי' (?) וש"ב הרב הנאון העמקין תמה עליהם לפי שבגמר' לא מצינו היתר דבר טמא אלא מקרא ובתים מלא' כל טוב דכתיב בשבע אומות כאשר וזשיג הרמב"ן ע"כ תוכן דברי קדשן, הנה רש"י בסוגי' דחולין י"ז וכו' ד"ה אלא

¹⁶⁸ עיי' מכות י"ז ע"ב.

לאחר מכאן דהיינו בשבע שחלקו דלא שרו להו רחמנא טומאה אלא בשעת שלל כדכתיב ואכלת את שלל אויביך וג' ע"כ הוכרח למאד לזה כי היכי דלא יקשה דמנלן דלאחר ז' שכבשו שאסורין באותן דברים האסורי' שבאו לידי אנשי הצבא תוך ז' דלמא מותר להם גם אחרי כן ובמ"ש הרמב"ן בריש דבריו בזה"ל והנה ההתר הזה עד שאכלו שלל אויביהם ולא רק בשבע שכבשו, וכן נראה בגמ' פ"א מ"מס' חולין, הרי לולא ההכרח מהגמ' הוי אמרי' דשלל שלהם ששללו בו' שכבשו שרי' לעולם. וכדי לידע מנלי' להגמ' הכי, אסברי' רש"י כדכתיב ואכלת את שלל אויביך דלא שרו אלא בשעת השלל, והנה גם מקראי קודש בפ' שופטים ד' בפסוק ט"ז כתיב רק מערי העמים אלה (כלומר בשבע עממין) אשר ד' אלקיך נותן לך נחלה לא תחיה כל נשמה, משמעו דלא החמיר גם בו' עממין מכל שאר אומות הרחוקות הכתובים למעלה רק בהא דלא תחי' כל נשמה, אבל בכל שאר עינייני' כגון ואכלת את שלל אויביך שהתיר לאנשי הצבא שלל של כותים בשאר אומות הותר גם בו' אומות וא"כ ואכלת את שלל אויביך דכתיב שם פ' י"ד קאי על כל האומות בעולם, גם בילקוט סוף רמז ד' איתא אהא דכתיב בפסוק י"ז כי החרם תחרימם יכול תהא ביותן אסורה לך ת"ל ובתים מלאים כל טוב ע"כ אמור מעתה דלענין דשלל מעתה נכללו ז' אומות לדינא כמו שאר אומות דכתיב בהו ואכלת את שלל אויביך והיינו בשעת שלל דוק. אבל מקר' ובתים מלאים כל טוב ה"א דנשארו בההתר אף לאחר שכבשו כדעת הראשונה שכתב הרמב"ן, ואם הייתי מכוון בזה לדעתו הרחבה והמלאה במה שרמזו מר חביבי ההגנ' בסוף הענין כתב כ"ת בזה"ל וישבתי דברי הרמב"ם ורש"י שדבריהם לקוחים מספרי פ' שופטים הובא בילקוט ואין רצוני להאריך עכ"דק יהי' רוחי נוחה שהייתי בהא בר מזלי, ואשר תמה כ"ת על המ'ל בפרשת דרכי' דף ק. הנה מכבר תקנתי על צדו בזה"ל ובתי' מלאי' כל טוב כצ"ל שכן אית' ברמב"ן פרשת מטות וכן אית' בחולין י"ז. בהיות בי לכבוד המחבר בלמדי משפט תורתו ציינתי לשים נוראים בציון על צידם כל המראה מקומות גם איזה תיקונים ואפרט דרך נדרה אחת מהנה בדרך הרבי' דרוש י"ג דף ל'. ד"ה ודע שלפי מה דאמרינן בירושלמי דמלך וציבור נידוני' בכל יום והכי אית' נמי בגמ' דידן פ"ב דסנהדרין וכו' כתבתי לפי שעה לא ידעתי מקומו לא בסנה' ולא בשאר מקומו' בש"ס דילן, גם בסוגי' דר"ה ח'. י"א. ובע"ז ב": לא ראיתי משמעות לזה ואדרבה המשמעות קצת להיפך, עוד את זה לא

אחד מ"ש הגאון המחבר בדרך צדיקי' דרוש ק'ד דף נ"ד. ד"ה ונראה דיבא הכל וכו' והקשו המפרשי' בסוגי' דקדושין משמע דס'ת עדיף וכו' יע"ש עד סוף הענין, חידוש שלא ראו את כל מה שכתב הר"ן בקידושין (דף רך"א דפוס ז"ב) קוש' זו ותירוצו ומה שתירצו תוס' יע"ש, ונכשל בזה גם הגאון המפ"ן פני יהושע ז"ל בחיבורו למס' קידושין ל'ג: ד"ה שם אמר ר' חלקי' וכו' ושמעתי מקשין כד הוינא טלי' וכו' ומתריצי' וכו' מיהו לישנא דתלמודא לא משמע הכי וכו', הנה מה ששמע בקטנותו ה'ל להעיד כשנעשה גדול דכל זה נתבאר במקו' אשר עמד בו ובמה שבתוכו תוך חיבורו שכל זה נתבאר בהרן ומשמ' באתי ואני שמעתי עליו לאמר שפתותיו ששונים בע"פ את הרב אלפס' עם מפרשיו בכן השמטה זו עליו יותר מתמי' שלא הסתכל בהר"ן וגם במוהר"ט בחידושיו לקידושין ומדי דברי בכבוד הגאון פ"י ז"ל אזכיר עוד מילתא דתמיה במ"ש בחיבורו ברכות דף י'. בענין חזקי' וישעי' ובתוך הדברי' כתב בזה"ל עד חזקי' לא הוי חולה ואתפח כדאית' פרק הפועלי', כתבתי חידוש גדול על אותו גדול המפ"ן בבקיאות הזכיר פועלים ולא ישב עמהן היות בפ' הפועלי' פו. (גם בסנה"ק"ז: ליתא הכי אלא עד דאתא אלישע וכו' ולא נזכר שום דבר מחזקי'. וראי' שהביא הש"ס באותן שתי סוגי' מוכח דעד אלישע לא הוי חולה ואתפח אבל אח"כ הוה וא"כ חזקי' שהי' אח"כ ליכ' למימר הכי והנה בלמדי פרקי דר"א ורשמתי בכל מקו' אשר הובא דבריו בתוס' ובראשונ' גם כל המראה מקומו' וגם כמה תיקוני' אשר תקנתי בס"ד בספר הקדוש ההוא שם תני' בפרק חמשי' ושנים מופת שביעי מיו' שנברא וכו' עד שבא חזקי' מלך יהוד' וחלה וחיה כתבתי ישוב מתוקן דאלו ואלו דברי אלקי' חיי' ודברי גמר' דילן בשתי סוגי' שזכרתי ודברי פרקי דר"א אינם סותרים זה לזה. גם ישוב הגון בס"ד בסוגי' דברכו' בענין ישעי' וחזקי'. ואין כאן מקו' להאריך וכמעט הלן לגדר והלן מעל הסדר יצאתי חוץ מהענין וד'ת נקני' במשיב' דמישך שייכי מענין לענין. ואשוב' על הראשונות דברי הרמב"ן בפ' מטות אשר התעורר מר ה'נ בן הגנ' (י"נ הרב הגנ'?) אשפוך לפניו שיחי את אשר העליתי בחיבורי מיני תרגימ' ועל הרוב שמתי ליסוד מוסד דברי הרמב"ן בפירושו, וכתבתי בסדר מטות בתוך ענין השייך זה שכתב הרמב"ן וכן בדין שהזהירם עתה ואחם חנו מחוץ למחנה שבעת ימים ותתחטאו כי מלחמת סיחון ועוג היו כל ישראל וטומאה הותרה בצבור וכו' לכאור' צריך פירוש לפירושו אטי משום שטומאה הותרה בצבור לא יצטרכו שוב לטהר א"ע לאכול קודש

ולכנום למקדש וכה'נ ועד כאן הותרה (צ"ל לא הותר') אלא לעשות קרבנם בטומאה אבל ברור שצריכי' להשתדל על צד הוריות שלא ישאירו^{168a} בטומאתם ייתבאר בהקדם שאלה יותר נפלאה. דלמה הוצרך להגיד להם בעת כל דיני טומאה וטהרת הזאה, הלא הוגד להם מראשית כזאת בראש חודש ניסן בשנה שנית לצאתם ממצרים ביום שהוקם המשכן באותן שמונה פרשיות כדאי' גיטין ס'. ע"ש ברש"י ותוס' ומלבד זה כמו זר נחשב' שלא היו יודעי' כל דיני' הללו עד היו' הזה לסוף מ' שנה. נהי שלדעת הרשב"ם בבב' ק"ך. דכל אותן מ' שנה במדבר לא היו מתים אלא בט' באב בלבד שהיו נכנסי' בחפירות שחפרו לעצמן. קצת י"ל דלא הוצרך משה להודו' להן דיני טומאת מת וטהרתו אמנם לפמ"ש תוס' תענית ל': ד"ה יום שכלו וכו' דיש מפרשים שהיו מתים בכל יום יע"ש, נשאר הקושי' דודאי הורה להם דינים הללו מקודם, ומעתה יתכן לומר דקושט' הכי הוא ובשביל כך במלחמ' סיחון לא הוצרך להם להגיד דברים שכבר יודעים, רק במלחמת מדין הוכרח להגיד בין לדעת רבינא ביבמו' מ"א. דקברי נכרי' אינם מטמאים באהל אבל במגע ובמשא מטמאי' וקרא דכתיב במלחמ' מדין לא נפקד ממנו איש היינו ממש דלא אקטל אפילו אחד מישראל ובש' דנכרי' אינם מטמאין כלל הוצרך להגיד להם דטמאים דהיינו לדעת ר"ש ב"י משו" דעכ"פ במגע ובמשא מטמאי' ולדעת חכמי' שלא יטעו לומר אחרי שלא איקטל חד מטמאים בר"ש, וכן י"ל לתירוץ קמא דילמא איקטל חד מישראל, אפ"ה ה"א הואיל דסבר' דרוב' ודאי לא נטמאו באותו דאיקטל ובפרט דהוה בספק טומאה ברשות להגיד להם דטמאים וצריכי' טהרה, והנה בדיון טומאת מת נכרי באהל אם מותר לכהן לכנס בזמן הזה יחדתי בס"ד חשובה ארוכה והסכי' עמדי גדול אח' לאהל שהמת נכרי שם, ואני מיראי הוראה ולהיושבי' על כסא הוראה, להם לדרוש נאה בכח דהתיר', ידיו ידיו יורה תמימ' (מלהזכיר דבר בעתו לא אהדול כי זה רבות בשנים בעוד שהייתי דר במחיצת הרב הגאון אב"ד דפה נר"י בערב שבת פ' זכור בהיותי דכתב רחמנא היינו פעם אחת ביובל או כל ימי חייו או דילמא

צ"ל ישאירו^{168a}.

עמוד ב'.

בכל יום, וניחא לי' דמצינו ענין זכרון שהוא לכל שנה כגבי שופר דכתיב זכרון תרועה, ואני תוך כדי דיבורו השבתי דיש ליתן אמתלא למה דוק' בפ' זכור חיוב' לפרסם בעשרה לקרותו ובשאר זכירות כמו זכירת מרים וכה'ג לא עבדינן הכי אלא דבשאר דברים איבא למימר שפיר דלא נקבע זמנו מיוחד דוקא לכל שנה, אמנם בזכירת עמלק דכתיב גבי' זכור את אשר עשה לך וגו' והי' בהניח וגו' לא תשכח. ובברכות נח': אמרינן אין המת משתכח מן הלב עד שנים עשר חדש שנאמר נשכחתי כמת מלב ויע' פי' רש' נמצא בכלות השנה יבא לכלל שכחה והתורה אמרה לא תשכח כלומר שלא יביא הענין לכלל שכחה ולכך מזכירין בכל שנה ושנה, והוד' לי' קאליר (?) משובח טעם זה) בחוך פתקא קטנה שהובא לי ממעלת ש"ב נר"י העיר במס' ר"ה דף ט' דמייתי הש"ס פלוג(תא) ר"י ור"ע בקר(א) בחריש מברייית' ולא הביא משנה ערוכה בפ"ק דשביעית וכו' ובאמת הרב' פעמי' בש"ס מצאנו דתניא והיא משנה וה' להיפך וכו' וכו' והאריך כ"ת ש"ב ההג'ני באיזה מקומן של זבחים אמת אגיד כי פעם אחת באו בני המשכלי' שי' על המנין בש"ס שלי ומצאו יותר משלשה מאות וחמישי' מקומות ששלחתי יד להגיה' במקו' דתנן דצ"ל דתני' וכן להיפך. ובתיקוני כלי שרת העליתי כל מקומו' אשר עמדו עליה' תוס' להגיה וכתבו כצ"ל דתני' הואיל ולא נשנית במשנה. וכן במקו' שכתבו לאידך גיס'. ואולם ז"ש תוס' בקידושין מ'. סד"ה אין מפיקין וכו' צריכין מובן וכתבתי בס"ד ליתן מובן בדבריהם. ברם כל ענין זו אינו נוגע ולא יועיל להתיר הפליאה בר"ה ט. שהיא ודאי ברייתא שהרי במשנה לא הוזכר ר' עקיבא כלל אלא בריית' היא דנשנית בשם ר"ע וכמ'ש ג"כ הר"ש וא"כ קשה למה שבק הש"ס לאתויי המשנה ואין זה דרך נכון כמ'ש תוס' שבת ק"ה. ד"ה והתני' וכ"כ בשאר דוכת' גם הגמ' עצמה דייק בר"ה ד"ה: וכן בגיטין ד"ז: וב"מ י"ח: מ"ט שבק מתני' ומותיב מברייית' ובישוב הדבר כתבתי דממשנה לא רצה להקשות (הערת המ"ל: בסומן כזה נכתבו בסוף האגרת הדברים האלו:) ס' דגמ' דמ"ק דף ג' מקשה הש"ס והם הלכתא והא קראי נינהו ע"ש ושם הוצרך להקשות מר"ע דממשנה לא רצה להקשות וכו' ובנ' לעיל עד והנה בעברי וכו' ומעתה יתכן לומר כיון דבסוגי' דמ"ק הוכרח דוקא לאתויי הברייית' לפיכך גם בר"ה ט' ובמכות ח' מייתי הברייית' וישיב מתני' וכמ'ש תוס' נדה מ"ב ד"ה בבריייתא כיון שסידר הש"ס הכא הכי וכ"כ עוד כה'ג בשאר דוכתי). " דממשנה לא רצה להקשות

דשפיר י'ל דהילכתא היא ואפ'ה צריב" קרא דבחריש ובקציר לאנמורי אשבת וי'ט ויה'כ כמ'ש תוס' והר"ש (ותירוץ דחוק קצת שהרי כל מלתא דר' עקיבא הכי הוא אם אין ענין לשבת בראשית תנהו ענין לשביעית כמ'ש תו' מ'ק ג': ד"ה שהרי כבר נאמר וכו' וכ'כ שארי מפרשי' והרמ'בם בפירושו וכן בכמה וכמה מקומי' מצינו אם אינו ענין לגופו תנהו ענין וכו') להכי השביל המקשה לאתויי הבריית' דמתני' ד'ה ר' עקיבא אומר אין צריך וכו' ולשיטת ר'ע בנויר נ"ו: דס'ל דרנין ק"ו מהלכה יע"ש אין לומר בקושי' תוס' והר"ש א"כ פריך שפיר והני הלכתא וכו' דלר'ג נוכל למילף שבת ויוה'כ וי'ט מהלכת' דעשר נטיעות (ועכ"פ ה'ל לר'ע להוכיח מהכא דאין דנין, והאיך עלה על דעתו בנויר לומר דרנין) והנה בחיבורי יש סדר למשנה הארכתי טוב' בס'ד וכאן אין מקום לקבל אריך וז"ש מר דייש להפליא בר"ה יח": דאמר מר והיא משנה ערוכה בתענית, יתן נא כ'ת ש"ב ההג"נ עין עיונו בתוס' כתובות צ"ג סד'ה הכי גרסינן וכו' ולפי' הקונ" קשה וכו' בענין הגהתי בשו"ע א"ח סי' קל"א דצ"ל וט' באב העבודה כי כך הגהתי וכתבתי על צדו זה שני' רבו". ואגב אתן תודה כי גם בס' קל"ט סעי' ז" במ"ש המחבר אחר שענו העם ברכו את ה' המבורך כתבתי על צדו דצ"ל אחר שענו העם ברוך ה' המבורך לעולם ועד. וכן בהר"אש ברכות פ"ז אית' כזה על נכון. ואם אציג כזה וכוה יכלה היריעה גם יראתי להעמיס לגבר' העמוס בחבילי טרדן מלאכת שמים ועול הציבור ובכן אסיים דברי ש"ב המקושר לטובתו מעתיר בעד שלומו שש בהצלחתו הק' יסעי' בערלין בהגאון יחיד בזמנו זצ"ל.

כפי מכתב מה"א הרבני הק" מהו' בענדיט בר' ליב חלפן מאמש' כבר קיים מצות שלוח ב' ספרי שאלתות השייך אחד מהן לכבודו הרמה ש"ב הגאון מפו' נר'י ואת השני השייך לש"ב הק" המפו' המעולה והמשובח כ'ה ליב פ"ב נר'ו אשר גם בזה הנני דורש שלומו ישמור הבטחתו ויקיי' מוצא שפתו לבנו ש"ב המופל' הרבני עם כל הנלו' שי' ותי' רב שלום וכל טוב לידידנו התו' ירא שמים מרבים המופל' מו"ה זלמן בר" משה שלו' שמתתי בתורתו אשר שם עודנו חלקו מיושביו בהמ'ד וע"ד שאלתו כהוגן הלא יש לו רב שם ולמה זה ישאל לשמי ואפ'ה לוקי רוב טרדותי המרובי' נתתי מקום לדבריו באולי יסכי' הרב על ידי בתשובתי מפני הכבוד. ואולם יבטח לבבו נאמנה כי תמיד תהלתו בפי מיום אשר הכרתיו והי' בזה הכל שלו' לכל שוכני אהלו שב' הה"ג.

למידן משיטה אחרונה להחזיק הנאמרים בראשונה עבור מצוה רבה

בכיבוד הבן משלו אל אמו העוזב' והי' שכרו לטוב'. וכדי לפטור מתוך דבר הלכה, מרגלא בפומאי דרך צחיות שפירושו של מתוך היינו קושי' בלתי תירוץ שמתוך כך זוכרהו שמחשב בדבר מצוה לפרוק (לפרוש?), אציגה לפני כסא כבודו לפמ"ש תוס' עירובין פ"א: ד"ה הכי גרסי' וכו' דגר' במשנתינו. דבבריית' מצינו אימתי דר' יהוד' לחלוק ע"ש וע" תוס' ביצה ט': ד"ה ולא היא ותוס' גיטין ז': ד"ה אמר וכו' ותוס' שבועות מ"ח: ד"ה נשבע ותוס' חולין פ"ה. ד"ה רבנן ע"פ דבריהם הללו קשי' מאי פריך הש"ס ריש מגילה ר' יהוד' אליב' דמאן וכו' הלא הך מלת' דאמר ר' יהוד' אימתי בזמן שהשני' כתקנן וכו'. אינו במשנה אלא בריית' וא"כ שפיר חולק הוא ובענין זו הארכתי בס'ד מכבר זה עשרים שנים. אשמעה מה יענה ממעון קדשו.

לזאת יסלח האדון אם לפעמי' כתב ידי במכתב הלזה בלתי מאושר (מיושר) היות רובו ככולו נכתב באישון לילה בשעה שבנ"א ישיני' והזמן פנוי באפס טרדות, קמתי להודות, על התורות ועל העבודות.

XIX.

Documents from the Beth-Din of London.

I. נביית עדות

ר' יודא בר יוסף בא לפנינו אונד זאנט וויא ער בליל ש"ק אחרון של פסח העט מקדש גוועזן מיט איין גאלדני רינג את הבתולה סערכה בת משה אונד האט איר דען רינג אן גטוהן אונד האט דאבייא גזאנט הרי את מקודשת לי בטבעת זו כדת משה וישראל אונד צווייא עדים זיין דאבייא גוועזן כ' דוד בר ליב ושלום בר אברהם.

הבתולה סערכה בת משה לייקנט אליש אונד זאנט דער יודא בר יוסף האט איהר ניקש געבן אונד האט אויך גאר נישט גהערט דש כ' יודא בר יוסף עטוואש צו איהר גזנט.

כ' דוד בר ליב העיד לפנינו בת"ע באל"יע¹⁶⁹ ובאיום גדול ובקבלת חרם בזה הלשון, איך האבי גזעהן וויא דאש מעדכה סערכה הנ"ל איזט ארויף קומן צו דעם יודא בר יוסף אין זיין חדר האט יודא גפראגט אן סערכה אויב צו פרידן איזט דאש עד זיא וויל מקדש זיין. האט סערכה

ר"ת בתורת עדות באם לא יגיד ונישא עונו¹⁶⁹

גזאנט "יעס" דרייא מאהל, איזט ער גאנגן אונד האט דאש פגענעכט אן איר האנד גטוהן אונד האט גזאנט הרי את מקודשת לי בטבעת זו כדת משה וישראל דאש האב איך אליש גזעהן אונד גהערט דרויף האבן מיר מזל טוב גזאנט, איזט זיא אוועק גאנגן ע"כ דברי העד דוד בר ליב.

כ' שלום בר אברהם העיד לפנינו בת"ע באל'יע ובאיום גדול ובקבלת חרם בזה הלשון איך בין ארויף קומין צוא יודא בר יוסף אין זיין חדר האט מיר רופין גלזט פון באביר מיט זיין ברודר, וויא איך קומין בין איזט יודא בר יוסף עם אחיו זיסקינד וגם דוד בר ליב דא גוועזן אח"כ איזט סערכה ארויף קומין וויא זיא מיר גזעהן האט האט זיא גזאנט איך זאל איהר מיין תקיעת כף געבן דאש איך ניקש זול זאגן ביז עש בובליק ווירט, האב איך איר מיין ת"כ געבן האט זיא איהר האנד געבן צו יודא הנ"ל אונד איך האב איר גפראגט אויב זיא איש קונדענטט אלש יודא זאל זיא מקדש זיין האט זיא גזאנט יוא מאך פארט מיין עטי ווירט נאך מיר קומין זא האט יודא דען פינגרלי גנומן אונד אן איהר האנד גטוהן אונד האט גזאנט הרי את מקודשת לי בטבעת זו כדת משה וישראל האבן מיר אללי גאר גוואונשן מזל טוב איזט זיא אוועק גאנגן ע"כ דברי העד שלום בר אברהם.

אונד אן איר האנד גטוהן בח' וד"ק. כל הנ"ל שמענו וקבלנו העדות כפי דין תורתנו יו' ה' ה' ניסן תקב'טית ל' הק" טעבלי בלא"א מהו' זלמן שיף כ"ן. של"א מפ"פ חו" פה ק"ק לונדן והמדינה ונאם הקטן משה יוסף יוזל שמש ונאמן דק"ק לונדון. ונאם הק" משה קליף.

ע"ב.

שוב בא לפנינו כ' אלימלך בר משה במעמד הבתולה מ' סערכה בת בת"ע באל'יע ובאיום גדול ובקבלת חרם בזה הלשון דען לעצטן טאג י"ט קודם דיא שוהל איזט אויז גוועזן איזט סערכה הנ"ל גוועזין אין הויז פון הירץ בן ווייבלונג (ווייגלץ?). האט סערכה פר מיר גזאנט דש איהר מעמה וויל זאגן צו דעם יודא בן יוסף דש ער קיין ביזנז מעהר צו איהר האט האב איך צו איר גזאנט ווען זיא וויל, זא וויל איך איהם אנטגעגן גיהן, בין איך גאנגן אונד גווארט פר יודא איזט ער קומין אונד האט גוט י"ט גזאנט אח"כ איזט ער צו מיר קומין אין דער טיר אונד האט גזאנט איך האב איהר מקדש גוועזט, האב איך גזאנט איך גלויב דירש ניט האט ער סערכה ארויז גרופין אונד האט גזאנט

סעלא מיין דיער ^{169 a} האב איך דיר ניט מקדש גוועזט לאסט נייט, ^{168 b} האט זיא גזאגט יעס אודער יוא פון דיא צווייא ווערטער יעס אודר יוא איינש איז גוויש האט זיא גזאגט, אח"כ האט זיא דיא מוטיר גרופין צו דינר. ע"כ דברי העד כ' אלימלך בר משה שהעיד לפנינו יום הנזכר מעל"ד זה. הק" טעבלי בלא"א מהו" זלמן שיף שליט"א מפ"פ חו' פק"ק לונדן והמדינה יע"א.

ונאם הקטן משה יוסף יוזל שמש ונאמן דק"ק לונדון.
ונאם הקטן משה קליף.

XX.

Document 2 : גביית עדות :

ב"ה.

במותב תלחא בי דינא כחדא הווינא ואתו לקדמנא הצדדים וגם העדים ושמענו שכ' שמעון בר חיים הלוי ז"ל אמר בפנינו שביום שבת ח"ה העבר סמוך לבין השמשות של מ'ש האט ער גטוהן איין פינגרלי אן דיא האנד פון הבתולה מינדלא בת כ' שמואל אונד האט צו איהר גזאגט הרי את מקודשת לי. דא איזט דא בייא גוועזן כ' חיים בר אהרן ז"ל אונד כ' יוסף בר יעקב ז"ל.

הבתולה מינדלא בת כ' שמואל אמרה בפנינו שביום ובזמן הנ"ל כ' שמעון ב"כ חיים הלוי ז"ל האט איהר פינגר גנומין אונד אן איהר האנד גטוהן איין פינגרלי אונד האט צו איהר גזאגט הרי את מקודשת לי דא איזט דא בייא גוועזן כ' חיים בר אהרן וכ' יוסף בר יעקב.

שוב אמר כ' שמעון הנ"ל ומ' מינדלא הנ"ל דש חיים בר אהרן האט אן שמעון הנ"ל פאר גזאגט וואש ער זאל זאגן להבתולה מינדלא הנ"ל אונד שמעון האט נאך גזאגט זולכש להבתולה.

גם אמר כ' שמעון הנ"ל דש פינגרלי האט ער קויפט שוינד צייט לאנג אונד וואהר זיין אייגן.

כ' חיים בר אהרן ז"ל העיד לפנינו בת"ע בעונש אליו"ע ובעונש חרם ושבועה, אלש שמעון האב גריד ביום הנ"ל אלליר האנד שמועות ואח"כ בזמן הנ"ל האט ער גהערט וויא שמעון גזאגט האט להבתולה מינדלא הרי את מקודשת לי בטבעת זאת האט זיין קרוב חיים בר אפרי' (אהרן?) איהם גזאגט דוא זאגשט ניט רעכט האט ער אנדרש גזאגט וואש ער

^{169 a} My dear.^{168 b} Last night.

גהערט האט הרי את מקודשת לי בטבעת זו כדת משה וישראל, היר נאך האט חיים בר אהרן ז"ל גזעהן איין פינגרלי וועלכש ער ווייט דש ער פר שמעון עטליכה טאגן דא פאר גמאכט. זולכש פינגרלי האט מינדלא אן איהר פינגר גהאכט. ער האט אבר ניט גזעהן וויא דש פינגרלי פון שמעון אן איהר האנד קומין איזט דאן ער האט ניט גזעהן דש שמעון זולכש אן איהר האנד גטוהן שוב העיד כ' יוסף בר יעקב לפנינו בת"ע בעונש אל"ע ובעונש חרם ושבועה אלש ער גזעהן האט, וויא שמעון האט איין פינגרלי גטוהן אן מינדלא הנ"ל איהר האנד אונד האט דא ביא גזאגט הרי את מקודשת לי בטבעת אונד זונשט קצת חוצפה ריד האט איהם זיין קרוב חיים ב"ה אפרי' גזאגט זול אנדרשט זאגן האט ער ווידר גהערט זאגן הרי את מקודשת לי בטבעת זו כדת משה וישראל העד חיים בר אהרן ז"ל והעד יוסף בר יעקב ז"ל המה זה עם זה קרובים שני בשני מצד אב.

גם בא לפנינו כ' יוסף ב'כ נחום כ"ץ והעיד לפנינו בת"ע בעונש אל"ע ובעונש חרם ושבועה, דש ער אין דעם חדר גוועזן, וואו שמעון ומינדלא וואהרן בזמן הנ"ל האט ער גזעהן וויא שמעון האט אן מינדלא איהר פינגר גטוהן איין פינגרלי אונד גזאגט הרי את מקודשת מיט חוצפה ריד דא ביא צו מינדלא, איזט ער יוסף ב'כ נחום הנ"ל אויז דעם חדר גאנגן אויף דיא טרעפ' האט ער גהערט וויא שמעון נאך אמאל גזאגט הרי את מקודשת לי בטבעת זו כדת משה וישראל, אח"כ איזט יוסף בר נחום דא ביא גוועזן וויא

ע"ב.

מינדלא גזאגט האט צו כ' נפתלי בר אהרן גיסו של שמעון זיא האט גדאכט ע"ט איזט נאר איין טשאק,^{169c} דען אנדרן טאג האט כ' יוסף בר נחום ווידרום גהערט פון מינדלא דיזר ווארטין . . . מעל'ד בשורה תשיעית תיבת אפרים ממושטש. ובין ט"ז לשורה י"ז חיים בר אפרים ב"ח. ובין שורה ל"ד לשורה ל"ה גזעהן בח", ובשורה ל"ה תיבה חמישית נמחק, ובשורה ל"ח תיבה שמינית ותשיעית נמחקו ודין קיימא הנכתב מעל"ד זה ובדף זה נעשה בפנינו יום א' ק"ח תשרי תקל"ב לפ"ק ולראי' באנו על החתום הק' טעבלי בלא"א מהו' זלמן שיף כ"ץ שליט"א מפ"פ חו' פק"ק לונדן והמדינה יע"א.

אליעזר ליברמן שפייאר מהלברשטאט.

מיטה יוסף יוזל שמש ונאמן דק"ק לונדון.

^{169c} A joke.

XXI.

Document 3.

במותב תלתא בי דינא כחדא הוינא ואתא לקדמנא כ' שלמה בר
 יצחק הלוי והעיד לפנינו בת"ע באל"וע בעונש חרם במעמד האשה שרה
 בת אברהם אשת כ' נטע בן כ' יצחק, דש ער אין דערטרייט במדינת
 יאמיקא וואהנט אונ' געגן איהם אריבר האט אדמיראל רויטע גוואהנט
 אונ' איין בארוויר ביא זיך גהאבט. דיור בארוויר איזט פלייסיג נאך
 מיין הויז קומין לסוף האט ער זיך צו דער קענין געבן דאש ער איין
 יהודי איזט איין הולענדר גבאהרן, אונ' ביא הירש בומסלר ווער ער
 איין דינשט גוועזן. אונ' האט אין לונדן איין פרויא מיט צווייא קינדר
 אונ' ער ווער ווילד גוועזן איזט ער אויף איין שיף גאנגן. אונ' זיין
 נאמן איזט גוועזן גטן העריו לאחר כך איזט ער חולי ווארדן אויף
 איין שיף האט וועלין אהיים גיהן אונ' אויף דעם שיף איזט ער גשטארבן
 דהיינו ער ווייט זולכש דאש דער שטורט^{169d} פון אדמיראל רויטע
 (רוילע?) איזט צו איהם גקומין מיט נאך צווייא אפסרש^{169e}. אונ' איהם
 גזאנט ווייטטו איין חידוש, בוהר נטן העריו איזט טויט אונ' בגראבן
 ווארדן בכבוד, אונ' ער האט נאך דער צייט אויך גזעהן זיין קליידר זיין
 פאר קויפט ווארדן. אויך זאגט ער וויא דיא ערלים הנ"ל איהם גזאנט
 האבן והכל לפי תומו אין בורט אנטאניע ווער ער בגראבן ווארדן אונ'
 גשטארבן אויף איין שיף וואש דארטן אין אנקיר גלעגן איזט, כל הנ"ל
 העיד בפנינו ב'ד כ' שלמה בר יצחק הלוי הנ"ל. פה לונדן יום ג' ה'
 אלול תקמ"ג ל" הק" טעבלי בלא"א מהו' זלמן שיף כ"ן זלה"ה מפ"פ
 חו' פק"ק לונדן והמדינה. יע"א

הק" שמעון במהו' משולם מפראג.

הק" אברהם המבורגר מננס'.

הק" יעקב במהו'רר אליעזר זל"הה.

גם מונח לפנינו כתב שכתב זה שנה אחת כ' שלמה הנ"ל לגיסו
 ואחותו ושם הודיע ג"כ מיתת הנ"ל להם ורוב דברים שנאמרו שמה
 מכוונים עם הנ"ל, רק שם כתב שהי' חתנו של הירש בומסלר וזה יש
 לתלות בטעות כאשר אמר לפנינו בשעת הגדת עדות שטעה לפי שאמר
 שהי' משרת אצל הירש ועיין בשו"ת שב יעקב בטאה"ע שאלה י"ח, עוד

^{169d} Stuart.

^{169e} Officers.

מונח לפנינו כתב מאחד מיאמיקה שנה העבר שכתב לאמו ג"כ מיתת הנ"ל
 ג"כ ברוב דברים מכון כנ"ל והוסיף שיש לו אשה בכאן שמה שרה
 בווינפעל שטריט, וחתום על הכתב אברהם סימסאן והחתימה מקויימת קצת
 אך לא כ"כ קיום מבורר, ועיין בב"ש טאה"ע סי' י"ז ס"ק כ"ח וכ"ט,
 ובשו"ת שמביא הח"מ שם ס"ק כ"א דבמקום ענון א"צ קיום. ונדון דדן
 ממש בלאו הקצת קיום שלפנינו אמו של הכותב יודעת שהי' תשובה על
 כתבה וזולת זה הדברים שבינו לבין אמו ומשפחתו המוזכרי' בכתב
 מוכיחים שהוא הכותב והגם שבעדות ובכתבים לא נזכר פלוני בן פלוני
 ממקום פלוני, כיון שנזכר שמו ושם יחוסו ושהי' בארוויר אצל אדמיראל
 רויטע ושהלך מכאן על ספינה של מלחמה ושהוא מכאן. כל הדברים
 האלה חמה כמו שמו ושם אביו ושם עירו ועיין בשו"ת שב יעקב בטאה"ע
 סי' יוד", ואם אמנם שאעפ"כ לא העידו לפנינו בע"פ שני עדים כשרים
 והוא רק כעד אחד דזהו שמפי הכתב וודאי אינו כמעיד בע"פ וכשר רק
 בעדות אשה וכבר איתא בש"ע הנ"ל סי' י"ז סעיף מ"ח דבקטטה עד אחד
 אינו נאמן, ואפשר להתעקש ולומר דהליכתו מכאן הוי כקטטה דהמיר
 בעלה שנזכר שם בהג"ה, אך האמת דגם בהמיר יש להקל ועיין בשו"ת
 שב יעקב סי' יוד וגם שם איתא דיש להקל אם העד בא לב"ד בלי
 שהביאתו האשה כמ"ש גם הב"ש שם ס"ק קמ"ג, וכאן בנדון דדן הכתבי'
 הי' מעוררי' להאשה ועד בא הכתבים לא אמרה כלל שמת, והעיקר שנדון
 דדן לא מקרי המיר והניחה לעגונה דאע"פ שהלך על הספינה ועשה מה
 שעשה עדיין הי' בכלל יהודי וגם האשה אמרה בשעת הליכתו מכאן והי'
 כבר על הספינה הי' נותן כח והרשאה לאשתו לקבל שכירתו וכאשר באמת
 קבלה ודעתו לא הי' להשתקע בין האומות, ולתיאבון הלך על הספינה,
 ודעתו הי' לחזור לאשתו ובניו נמצא אין כאן קטטה כלל, מכל הלין טעמי
 יצאה האשה שרה בת אברהם הנ"ל שהיתה אשת כ' נטע בן איצק לפנינו
 בהיתר להתנסבא לכל גבר דתיצביין והי' יצילנו משגיעות ויראנו מתורתו
 נפלאות כ"ד החותם פה לונדון ק"ו אלול תקמ"ג ל"הק" טעבלי בלא"א
 מהו' זלמן שיף כ"ץ זל"הה מפ"פ חו' פק"ק לונדון והמדינה יע"א.

הק" שמעון במהו' מיטולם מפראג.

הק" אברהם המבורג מננסי'.

הק" יעקב במהו'רר אליעזר זל"הה.

AN EXPLANATION OF ABOT VI. 3

IN the issue of *The Jewish Quarterly Review* for January, 1920, vol. X, pp. 199 ff.), Dr. Joseph H. Hertz suggests a very interesting emendation of Abot VI. 3. He reads שְׁנֵי דְּבָרִים in place of שְׁנֵי דְּבָרִים and therefore translates the Baraita as follows: 'He who learns from his fellow a single chapter, a single verse, a single expression, or even a single letter ought to pay him honour, for so we find with David, King of Israel, *who learnt nothing from Ahitophel but merely conversed with him* and yet regarded him as his master, his guide, and his familiar friend; as it is said: But it was thou, a man, mine equal, my guide and my familiar friend (Ps. 55. 14). Now, is it not an argument from minor to major? If David, the King of Israel, *who learnt nothing from Ahitophel but merely conversed with him*, regarded him as his master, guide, and familiar friend, how much more ought one who does learn from his fellow a chapter, rule, verse, expression, or even a single letter to pay him honour?' The purpose of the emendation, as Dr. Hertz points out, is to give force to the קל וחמר which otherwise is decidedly lame, in view of the fact, that two words or expressions are undoubtedly more than one.

It has been my privilege in connexion with certain studies in Abot, in which I have recently been engaged, to examine several old editions and manuscripts in the library of the Jewish Theological Seminary containing the Baraita קִנֵּי תוֹרָה, and I am convinced that the emendation is not necessary to save the force of the syllogism, if the proper reading be reconstituted according to the manuscripts. The words דְּבַר אֶחָד and אֶחָד אֶחָד are not well authenticated. Out of the sixteen editions and manuscripts on my list, I find that six omit דְּבַר אֶחָד, four omit אֶחָד אֶחָד, and two omit them both. These latter are a French prayer-book

and a copy of the Machzor Vitry, both dating from the thirteenth century. The dubiousness of these readings, evidenced by all the manuscripts, and their omission from the two very valuable texts just mentioned make it very likely that they did not form part of the original Baraita. A careful scrutiny of the printed text of Kalla, to which Dr. Hertz makes reference, will lead to the same conclusion. Not only is **דבר אחד** omitted, but the reading **ואפילו דבר אחד ואפילו אות אחת** gives the impression that the second **ואפילו** introduces a later addition to the original statement.

According to the best textual evidence, the Baraita reads as follows : הלומד מחברו פרק אחד או הלכה אחת או פסוק אחד צריך לנהג בו כבוד. שכן מצוינו בדוד מלך ישראל שלא למד מאחיתפל אלא שני דברים בלבד ועשאו רבו ואלופו שני ואתה אנוש כערכי אלופי ומירעי. והלא דברים קל וחמר ומה דוד מלך ישראל שלא למד מאחיתפל אלא שני דברים בלבד עשאו רבו ואלופו הלומד מחברו פרק אחד או הלכה אחת, and **ואפילו פסוק אחד על אחת כמה וכמה** שצריך לנהג בו כבוד, and since 'two words' or 'expressions' may be less than a whole Scriptural verse, the **קל וחמר** remains in force.

Dr. Hertz is of course correct in assuming that the verse immediately following that quoted in our Baraita is required to explain the allusion. Raba in Kalla and most of the commentaries take for granted that the teachings of Ahitophel are summed up in the two phrases **בבית אלהים** and **יחדיו נמתיק סוד** respectively. Now these two expressions taken together constitute no less than one whole passage and therefore it may well be puzzling that the peculiarly emphatic form **שני דברים בלבד**, as Dr. Hertz points out, should be used.

As a matter of fact, the Baraita was not guided by the division into verses now current, and it is very likely that the word **אשר** did not introduce a new passage (see verse 20 in the same Psalm). If we assume this to be the case, we see at once that the two expressions which sum up the teachings of Ahitophel constitute together considerably less than one whole passage, and the emphatic form **שני דברים בלבד** would therefore not be unjustified.

A careful examination of the manuscript reading, quoted above, shows that מִדַּע is not among the titles which David is said to have applied to Ahitophel. It is possible that, for purposes of the homily, our Baraita read יְמִידַע instead of מִדַּע which would make the relation of the proof-text to the Baraita much clearer. The passage could then be freely rendered as follows: 'Thou, a man mine equal, my guide and *he who teaches me*, that we should take sweet counsel together and that we should walk to the house of God with the throng.'

If there is no real need for accepting the proposed emendation, interesting and suggestive as it undoubtedly is, we need not of course assume an exceptional 'process of transmission' in the case of our Baraita, an assumption to which we would otherwise be compelled.

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New York.

THE AUTHOR OF THE YIGDAL HYMN

Professor A. Marx's 'List of the poems on the Articles of the Creed' in this REVIEW (vol. IX, p. 305 sqq.) is a product of comprehensive and careful research. It certainly deals with a fascinating subject, and shows, among other things, the enormous influence which Maimonides' articles exercised even on the poetic genius of mediaeval Jews. I am much gratified at having indirectly stimulated him to take up the question of the authorship of the *Yigdal*. Marx objects to my suggestion that the author of the hymn is not Daniel b. Judah Dayyan, but Immanuel of Rome. His contention rests solely on Luzatto's oft quoted remark in his Introduction to the Maḥzor of the Roman rite. To style this a 'positive proof' is surely carrying the *ipse dixit* too far, for if we abided by dicta such as this, there would be an end to all progressive research. The whole question hinges on the explanation of the word שִׁסְדָּרָם which Marx takes in the sense of 'he composed'. Now the verbal root סדר does not occur in biblical Hebrew at all, whilst the two nominal forms סְדָרִים (Job 10. 22) and מִסְדְּרוֹן (Judg. 3. 23) bear the meaning 'order' and 'arrangement of pillars'. Wherever we find verbal forms of this root in post-biblical literature, they are *denominativa* of סָדַר. In the Targums the verb is used for Hebrew עָרַךְ, as likewise in the Mishnāh, e. g. סָדַר אֶת הַלֶּחֶם (*Men.* 11. 8). It is hardly necessary to quote any of the numerous passages in which both the nominal and verbal forms occur in the Talmud. In all these passages the meaning is 'to arrange', but nowhere 'to compose'; for if this were so one might assume that Simeon Happekūli was the author of the Eighteen Benedictions (*Ber.* 28 vo.). There is really no need to multiply quotations from rabbinic writings, but we should suppose that the writer of the notice in question was sufficiently acquainted with the meaning of סָדַר, and not charge him with

a loose application of the term. The note in Cod. Brit. Mus. to which Professor Marx ascribes so much importance is only a mechanical copy of the other, being written by a professional copyist devoid of any argumentative power.

Professor Marx disagrees with my suggestion that in the words *לַעֲמֹנוּ אֵל* one may find an allusion to the author's name. In my opinion it would be surprising if a poet of Immanuel's skill had not been able to introduce his full name in the usual way of an acrostic or by similar means. Now here Marx overlooked a point which is even more serious than the previous one. The name *עֲמָנוּאֵל* has four *tenū'ōth*, and could only have been inserted in the *Yigdal* by dividing it, putting the first two syllables at the end of one hemistich and the other at the beginning of the next. This the poet very appropriately did in the longer poem (line 12). In the *Yigdal*, however, it would not only have been a violation of the artistic structure of the poem, but also quite out of place in view of the double meaning of the name. What has an ejaculation, 'God with us', to do in a register of philosophical and theological axioms? The poet had a choice of terms at his disposal,¹ but he deliberately chose one which not only expressed what he wished to express, but also delicately intimated his name. This was both ingenious and good taste! For myself this is so striking a proof of Immanuel's authorship that I consider an accidental slipping in of these two words, containing five out of the six letters of his name, out of the question. In an unvocalized manuscript in which the letters are generally written closely together the similarity is greater still.

We must also consider the relation of the *Yigdal* to the larger poem from which its lines are culled. Both have the same metre, the same rhyme, and many similar expressions and clauses, and several half-lines are identical. If, as Marx argues, literary property was thought of differently in those times, this holds good for ideas, doctrines, or systems expressed in prose language, but not for poetry. Thus Marx admits Immanuel's authorship of the

¹ e. g. *לִי־יִשְׂרָאֵל, לִיעֶקֶב, לַנְּחֻלָּתוֹ, לַאֲמָתוֹ, &c.*

adapted passages, but if in a poem of thirteen lines eleven abound in such adapted passages, this goes beyond the limits of literary honesty. I am therefore driven to the conclusion that Daniel did not wish his grandfather to pose as the *author* of the poem.

Finally, there is the following to be taken into account. On one side figures a person not known to have composed any liturgical or secular poems, except the one seemingly attributed to him by his grandson. The *Yigdal* betrays great ability. To compress each article of creed with its abstract notions into one line, whilst at the same time observing the rules of prosody and rhyme, is an achievement of amazing skill. No other of the numerous poems devoted to the same subject comes near it in impressiveness and concinnity. The proof is that for centuries they lay buried in the tomes of manuscripts. Had Daniel been a poetic genius he would surely have tried his hand at the production of other hymns. On the other side we have a bard renowned for his facility of turning out a galaxy of elegant verse. Immanuel had shocked pious devotees by the levity of his pen, yet Daniel is, after all, to be commended for having had the courage to introduce the *Yigdal* into the daily Prayer Book.

The two anti-Christian poems reproduced by Marx (p. 307) are also to be found at the end of a MS. of Joshua Segre's *אשם חלוי* (*Cod. Montef.* H. 324, fol. 40, see my *Catalogue*, No. 453) with numerous variations and omissions.

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HUSBAND'S 'PROSECUTION OF JESUS'

The Prosecution of Jesus. Its Date, History, and Legality. By RICHARD WELLINGTON HUSBAND, Professor of the Classical Languages in Dartmouth College. Princeton: UNIVERSITY PRESS, 1916. pp. 302.

Professor Husband has given us an elaborate study of a theme on which much has been written, a theme obviously of profound and abiding interest to all Christians and also to that small section of the human race from which the founder of Christianity sprang. The trial of Jesus is the topic discussed with ability, critical acumen, and—most important of all—with an anxious desire to be scrupulously fair. In a little book of some 300 pages, entitled *The Prosecution of Jesus*, the author deals with the charge against Jesus, the date of the trial, its course and its legality. In connexion with the subject he also treats of the legal rights of the Jews under Roman rule, the account of the trial in the Gospels, and the credibility of that account.

The main problem is, Who was responsible for Jesus' trial, condemnation, and execution? The current popular view, as Professor Husband correctly states, is that Jesus was tried by the supreme Jewish court, the great Sanhedrin, on the charge of blasphemy, and that he was condemned to death by that court; but in order that the sentence should be carried into execution, the consent of the Roman authorities was requisite. This was reluctantly extorted from Pontius Pilate, the Roman procurator at Jerusalem.

These impressions the author critically examines and, for the most part, confutes. He rejects the view that Jesus was formally tried by the Sanhedrin for an offence against the Jewish criminal law. He regards the trial by Pilate as the only formal trial that took place. He assumes, however, that there was a preliminary

hearing before the Sanhedrin and starts the novel theory, for which he offers no support, that this hearing was in the nature of an inquiry analogous to grand jury proceedings.

The subject manifestly bristles with difficulties. First, what credence are we to give to the Gospel narrative? The Gospels in their present form were reduced to writing long after the events they record. The accounts of the arrest, trial, and crucifixion admittedly present so much variation and discrepancy that it is hard to extract a satisfactory idea of what actually did take place. The following consideration has also to be borne in mind. Christianity soon broke away from the parent creed. The antinomistic form which it received under Pauline influence, while resented by some of the Apostles, made Christianity acceptable to the Gentile world and gained for it adherence among the subjects of the Roman Empire, of which it ultimately became the State religion. A tendency, possibly not altogether conscious, would naturally arise to remove the blame for the execution of Jesus from the representatives of Rome and place that responsibility upon the obstinate, unbelieving Jews. Entirely to exonerate the Roman authorities would have been a distortion of truth so contrary to the well-known facts of history as to be incredible. But without going to this extreme, the offence of the real culprit might be extenuated, and the blame shifted on to the victim's co-religionists. And this is precisely what has happened in the Gospels. Pilate is whitewashed—to be sure, not very successfully. The Sanhedrin is painted in the blackest colours. Professor Husband endeavours to redress the balance and to distribute the burden of responsibility more justly.

The weakness of the author is that he tries to be fair all round; fair to Pilate, fair to the Jews who brought Jesus before Pilate, fair to the writers of the Gospels. He aims at avoiding the necessity for assuming falsity on the part of the writers of the New Testament, malice or illegality on the part of prosecutor or judge. 'There are three possibilities', he says. 'First, that Jesus was under the legal control of the Roman authorities from the time of the arrest till the crucifixion. Second, that he was

tried for blasphemy or for false prophecy under Jewish law and procedure, and was convicted and then either (a) sent to Pilate for rejection or ratification of the conviction, or (b) re-tried by Pilate on the same charge according to Roman procedure, or (c) that he was tried on a charge of treason advanced by the Sanhedrin. Third, that the proceedings before the Sanhedrin were merely preliminary hearings, conducted in order to present a charge before the Roman court, and that the Sanhedrin presented the charge and the evidence to Pilate who conducted the trial according to Roman procedure. Jesus would then have been under the legal control of the Jewish authorities until the time of his transfer to Pilate, after which time he was in the legal control of the Romans' (pp. 14 and 15). This third view the writer favours. The fundamental doctrine he advocates is that the whole case was one of Roman law and that Jewish law played a most insignificant part in the proceedings (p. 15).

With this last conclusion one is inclined to agree, except as to one point. That the Sanhedrin took any part whatsoever in the trial of Jesus—*pace* the Gospel accounts—is highly questionable. All the probabilities are against this view. The institution of grand jury proceedings was unknown to Jewish jurisprudence. To act as a *delator* or informer was, and is at the present day, most repugnant to the Jewish conscience. For the members of the Sanhedrin, of their own motion, to have arrested a Jew, surrendered him to the hated Roman authorities, preferred a charge against him, and pressed that charge, is unthinkable and without parallel. Nor was there anything in the teaching of Jesus which would form the ground of a charge by the Sanhedrin, or to which they would take exception. The ethics of the New Testament is Jewish. The Sermon on the Mount, with its stress on purity, meekness, and mercy, reflects the spirit of Judaism. The sayings of Jesus have their parallels in the Old Testament, Apocryphal literature and Rabbinic traditions. In insisting on the indissolubility of marriage, Jesus was following the school of Shammai. The teaching of the Scribes and Pharisees he holds in respect. 'The Scribes and Pharisees sit in Moses' seat. All therefore

whatsoever they bid you observe, that observe and do' (Matt. 23. 2-3). He declares that he did not come to destroy the law but to confirm it (*ibid.* 5. 17, 18). He heals on the Sabbath. Where there is no actual work this involves no violation of the fourth commandment, and where life is in danger such violation is, according to the conception of Judaism, a positive duty. He consorts with the common people and is influenced by this association to make light of the laws of ritual cleanliness. But such laws were observed rigorously only by the *Chaberim*. He is conscious of a mission to his people alone. 'I am not sent but unto the lost sheep of the House of Israel' (*ibid.* 15. 24). He fully accepts the doctrine of the Resurrection in which he is at one with the Pharisees and against the Sadducees (*ibid.* 22. 23-33).

In all this what ground is there for accusation? Why should the Sanhedrin have tried him? His teaching was no danger to Judaism. His claims to the Messiahship were no offence from the Jewish standpoint. But, as it implied the rescue from the Roman tyranny, its assertion was a danger to the foreign power who therefore tried him.

Who denounced him to Pilate? Those whom he had denounced to the people. The ignorant and venal priests, creatures of Pontius Pilate whom Jesus had angered, ordered his arrest. The captain of the Temple guard, possibly assisted by Roman soldiers, carried out the order. What exasperated the priests was Jesus' disapproval of the Temple service as conducted by them. His statement that he would pull down the Temple and rebuild it in three days was blasphemy in the eyes of the chief priests, and induced them to surrender him to the Romans. But that by itself would have been no ground for his condemnation. Hence they charge him with not only perverting the people but causing unrest among them. And this charge was undoubtedly well founded. Pilate asks the prisoner, 'Art thou king of the Jews?' (*ibid.* 27. 11). And Jesus does not deny the claim. For the Roman procurator that was sufficient. There was no need for further evidence after the virtual admission 'Thou sayest'. A despised Jew could obviously not claim the

same formal trial as a Roman citizen. And so he was condemned and sentenced to the Roman form of execution reserved for foreigners and for the worst offenders. The statement in the New Testament that Pilate found no evil in him, washed his hands, and thus symbolically disclaimed all responsibility (*ibid.* 27. 24) is unhistorical, as Professor Husband, with all sober critics, admits. The purpose is manifest—to roll away the reproach for the crucifixion from the Romans and fasten it on the Jews who rejected salvation. The portrait of Pilate as a vacillating weakling is inconsistent with the Procurator's character and career as delineated by Josephus. Pilate condemned Jesus on political grounds as other insurrectionists had been condemned before him. This was well understood by the Roman soldiery who hailed him derisively as 'King of the Jews', crowned him in mockery, and set above his head the inscription, 'This is Jesus the King of the Jews' (*ibid.* 27. 37).

Was Jesus justly condemned? No. For he did not incite the people to active rebellion against the Roman authority. 'Render unto Caesar that which is Caesar's' was his counsel. In this policy of submission to the political powers that be, he was following Jeremiah's attitude to the Babylonian ruler, Hillel's attitude to Herod, and anticipating the advice of R. Johanan ben Zaccai to surrender to the Roman generals. He was misunderstood by the people, and possibly by some of his disciples. Hailed on his entry into Jerusalem as the expected Messiah, the saviour of the nation from oppression, the popular enthusiasm cooled when the hopes that had been raised were not realized, and no insurrection was started. 'My kingdom is not of this world' was too ethereal to be appreciated by the masses. Hence also the attempted rescue feared by the priests did not materialize. Pilate, however, the foreign governor who held the Jews by the power of the sword, drew no distinction between the claim of temporal and spiritual power. Possibly he was unaware of Jesus' pacificism. Enough for him that Jesus asserted that he was the Messiah and was so acclaimed. As such he was a danger to the Roman domination. But the Sanhedrin had no responsibility for

his trial, condemnation, or execution. The preliminary hearing took place not in the Hall of Hewn Stones (T. B., *Sanhedrin* 14 b), but in the house of the High Priest. The statement (Mark 15. 1) ὅλον τὸ συνέδριον, 'The whole council', is either incorrect or may refer to a special Beth Din of the priests. There was no reason why the Sanhedrin should have accused Jesus. They had permitted him to preach in the Synagogues without let or hindrance; his teaching could, therefore, not have been heretical. The chief priests prosecuted him because he opposed them, as did many of the Pharisees of the time. The high priests during the second Temple were most of them unworthy (T. B., *Pesachim* 16 a, *Joma* 71 b, *Horaioth* 13 a). This explains Jesus' saying that he would 'destroy the Temple and rebuild it in three days', which moved the High Priests to cries of horror. What Jesus obviously meant was that it was high time for a change. The parallel is the old promise, 'I will create a new heaven and a new earth'.

In conclusion I wish to discuss a few detailed points. Where does Professor Husband get his statement (p. 74 and p. 107) that the severest form of excommunication was equal to death?

What troubles Professor Husband as to the day before the Passover being called Passover is not difficult. The precept, 'On the first day you shall cause leaven to cease in your houses' is explained in the Talmud as referring to the 14th of Nisan, the day before Passover. The eating of the Paschal lamb at the last Supper on Thursday night, when Passover began Friday evening, is certainly strange. But if in the days of Hillel, when the first day of Passover fell on the first day of the week, the people were in doubt as to whether the Paschal lamb should be slaughtered on the previous day, the Sabbath, and their religious leaders could not resolve their doubts (*Pesachim* 66 a), then it might well be that when the first day of Passover fell on Sabbath some might have held that the Paschal lamb should be eaten not Friday night but on the previous Thursday night.

(p. 44, 1st line). 'The Jewish day began a short time after sunset and continued until the same time on the following evening'. It would be more correct to say that it began with night-

fall and continued to nightfall the next day. On the eve of Sabbath or Festivals we add a short period before nightfall, so as not to violate the sanctity of the day.

(p. 44, 5th line). 'The time of the appearance of the new moon was determined by calculation rather than by observation at this time'. This is not in accordance with tradition. The Mishna (*Rosh Hashanah*, chs. 1 and 2) clearly shows that the new moon was determined by the Supreme Court on the evidence of eye-witnesses. The accuracy of the testimony was checked by the astronomical knowledge of the Court (cp. R. Gamaliel's 'Figures of Phases of the Moon', *Rosh Hashanah*, 2. 8).

(p. 44). 'The first month of the year began on the evening of the new moon nearest to the vernal equinox'. This would not necessarily be so. Sometimes owing to the lateness of the winter and backwardness of the vegetation, an intercalary month—Adar Sheni—was added.

(p. 71). The questions put to Jesus may well have had as their object not to trap him but to ascertain his point of view. As already pointed out, healing on the Sabbath is not forbidden in Rabbinic law, when no actual labour is involved. It is a positive duty where the patient is dangerously ill. 'Is it lawful for a man to put away his wife for every cause' is a moot point, on which the schools of Shammai and Hillel differ.

(p. 79). ὄχλος may mean multitude in a neutral sense, not necessarily rabble. Cp. Rabbinic phrase מְרִיבָה בְּאוֹכְלוֹסִין.

(p. 102, last line). 'It was expedient that *one man should die for the people*' (John 18. 2). This clearly means that rather than that the people should be misled into an abortive resurrection for which they would be punished by the Roman authorities, it was politic that the claimant to the Messiahship should be surrendered to the Romans. The phrase may be due to the influence of the Christian doctrine of the Atonement.

(p. 110). The reason why Jesus was taken before the High Priest was for the latter to determine whether Jesus should be surrendered to the Romans. The High Priest and his Council, in their condemnation of Jesus, acted from mixed motives.

Appointed by the secular authorities, they may have felt themselves responsible for the good behaviour of the citizens, and regarded it as their duty in the interests of the people to prevent insurrection. The charge, 'We found this man perverting our nation and forbidding to give tribute to Caesar, and saying that he himself is Christ a King' is absolutely consistent with the view that the High Priest was not trying Jesus on the charge of blasphemy, but only holding a preliminary inquiry to ascertain if Jesus should be given up to the Romans as an insurrectionary.

The author indicates a similar view on page 135. 'The Sanhedrin conducted an investigation into the charges being made against Jesus to see whether these were well founded to justify them in preparing an indictment against Jesus for submission to the Roman Court. When Tacitus, in his history of the reign of Tiberius, spoke in one brief sentence of the crucifixion of Christ, he placed all responsibility upon Pilate, for it could not have occurred to a Roman mind that any person in a province could be tried by any authority than the Roman'. This is well said. We are in agreement with the author, except that we would substitute the High Priest's Council for the Sanhedrin :

(1) There was no trial of Jesus by the Sanhedrin. The Sanhedrin tried capital charges in the Hall of Hewn Stones only. Jesus' preliminary trial took place in the High Priest's house.

(2) A trial by the Sanhedrin would not have taken place on the eve of the Sabbath or Festival.

(3) Voting with reason for opinion would have been given by the youngest member first. Here the High Priest gave his opinion first.

(4) If the condemnation was unanimous, the result would have been an acquittal.

(5) The Sanhedrin would not have regarded the claim of ability to destroy and rebuild the Temple in three days as blasphemy.

(6) The Jews at this time had lost the right of trials on capital charges. 'It is not permitted to us to put any man to death', said Jesus' prosecutors to Pilate.

(7) Crucifixion is not a Jewish punishment.

(8) Nor is theft a capital offence in Jewish law—except kidnapping. Hence the crucifixion of the two thieves was repugnant to the Jewish sense of justice.

On all the above grounds, many of which Professor Husband states, the legitimate conclusion is that Jesus was not tried by the Sanhedrin, but that he was surrendered by the priests to the Romans. They were exasperated by Jesus' disapproval of them. At the same time, they were moved by fear of an abortive insurrection and its dire consequences to themselves and the people. 'The Romans will come and take away both our place and nation'.

The statement under item 4 in the conclusion: 'If the condemnation of the Court was unanimous, the result would have been an acquittal, is based on the dictum in the Talmud (*Sanhedrin* 17 a): אמר רב כהנא סנהדרין שראו כולן לחובה פוטרין אותן. Rav Cahana says: 'If the entire Sanhedrin is in favour of condemning the accused (in a capital charge) he is acquitted.' See also Maimonides' Code *Hilchoth Sanhedrin*, ch. 9, part 1: סנהדרין שפתחו כולם בדצי נפשות תחלה ואמרו כולן חייב הרי זה פטור עד שיהיו שם מקצת מוכין שיהפכו בזכותו וירבו המחייבין ואחר כך יהרג. The reason given in the Talmud is that the object of not pronouncing a sentence of condemnation on the same day as the trial, is to allow opportunity for finding arguments leading to acquittal. Where the Court, however, had made up its mind unanimously for condemnation, this object would fail. That is, there is obviously either bias and prejudice, or at the least lack of the openness of mind and judicial spirit of calm deliberation requisite in a Court. The rule above stated is expressed in popular phrase as כולו חייב זכאי.

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HEBREW INCUNABULA

CASSUTO, UMBERTO. *Incunaboli Ebraici a Firenze*. Firenze, LEO S. OLSCHKI, 1912, pp. 36, 2^o.

Hebräische Inkunabeln 1475-1490. Mit 33 Faksimiles. Katalog 151 von Ludwig Rosenthal's Antiquariat. München.

Since De Rossi's famous *Annales Hebraeo-Typographici sec. XV*, Parma, 1795, the short and exhaustive paper of A. Freimann, 'Ueber hebräische Inkunabeln', Leipzig, 1902 (reprint from *Centralblatt für Bibliothekswesen*, XIX, 108-16), was the first monograph devoted to our subject. While De Rossi first dealt with the dated incunabula in chronological order and had them followed by the undated ones, Freimann arranges them according to cities and presses.¹ The two publications under review show the same difference of arrangement, only that Cassuto places the undated books in their approximate places, as does Jacobs in *Jewish Encyclopedia*, VI, pp. 578-9. Together with the descriptions of incunabula in Wachstein's catalogue reviewed previously (*JQR.*, N. S., vol. VI, pp. 107 seq.) they form a most welcome

¹ Freimann enumerates 101 books, omitting two recorded by De Rossi: Mardokai Finzi, לוחות, Mantua; De Rossi, 113; Steinschneider, 1658-9 (a copy of this unusually rare booklet was acquired by Mr. Sassoon some time ago, I learned from Mr. E. N. Adler) and one of the two Ixar Pentateuchs, De Rossi, 73; Steinsch., No. 8; Proctor, 9602; or De Rossi, 143; Steinsch., No. 1011; Proctor, 9601 (he gives the Steinsch. number for the first, the Proctor number for the second) and two recorded in Steinschneider's Supplementum Cat. Bodl.: Abot with Maimonides in 23 leaves, being a separate issue from the Roman Mahzor with omission of the signature of the latter (see now *ZfHB.*, XIV, p. 49, and 187, No. 11) and the two leaves of Alfasi.

Since that time a few more incunabula have come to light and are described in *ZfHB.*, mostly by Freimann.

addition to the literature on our subject and will have to be consulted by every bibliographer in this field. Rosenthal's catalogue offers sixty-eight numbers containing forty-eight different books or parts of books, a collection which could not be easily duplicated again, as Hebrew incunabula are constantly growing scarcer. The prices go far beyond those ever charged before for this class of books and seem to me in many cases to be exorbitant.² The description of the books is very well done and shows the hand of a trained bibliographer, who is thoroughly familiar with the history of Hebrew typography. He gives careful collations and typographical descriptions. For the Rome prints, which we generally describe as printed before 1480, he tries to prove a somewhat earlier age under No. 48 and places them tentatively in the year 1475 (see *infra*). Among the Spanish incunabula he has leaves of various unknown editions, about which I hope to speak more in another connexion. Thirty-three facsimiles, five of them giving full pages, are a particularly welcome addition as they are selected with discretion. It is a pity that for the Conat type the author did not think of reproducing fol. 350 of Gersonides on the Pentateuch, in which a letter was pulled out of its place in the course of the printing and laid upon the forms. We get the measures of the type employed by Conat, p. 4, no. 4 (27 mm. long, 6 mm. broad).³

Facsimile 30 does not belong to No. 63 but to 66. The latter, a Pentateuch with Targum (of which the Jewish Theological Seminary has two leaves, presented to its Library some years ago by Dr Schechter), seems to me to come from a very early Spanish press. Rosenthal compares it with Haebler 332, of which unfortunately no facsimile is found in Haebler's *Typografia*. This edition of the *Ṭur* is ascribed to Lisbon only on the authority of Van Straalen, which is of little weight in such questions.

² Since writing the above (July, 1918) the prices of rare books in general have advanced so much that one can only say that Rosenthal anticipated the movement by a few years.

³ See for similar instances in Latin incunabula, Talbot Baines Reed, *History of the old English Letter Foundries*, London, 1887, p. 24.

Freimann, p. 9, note 2, considers his statement very doubtful. In my opinion the book, of which the Seminary Library has two leaves, was printed in Spain. Incidentally I may remark that Rosenthal calls No. 57, Ramban 1489, the first book printed in Lisbon, but ascribes our fragment to the same press, that of Toledano, and to the year 1480!

Cassuto describes only forty-three volumes containing thirty-one different incunabula which are found in the libraries of Florence, and they are with very few exceptions printed in Italy. But in spite of the smaller number of books described, his is a very important contribution to bibliography, for the author, while consulting all his predecessors, does not accept any of their statements without careful examination and not infrequently takes occasion to correct them. Cassuto dwells less on the typographical description; his collation is less detailed, but he reproduces the characteristic parts of the epigraphs, notes of former owners, &c. The book is a reprint from Olschki's *Bibliofilia*, XII-XIII, and this explains the fact that the few facsimiles given are taken from the most common incunabula described, those that happened to be in the possession of Olschki. It is greatly to be regretted that no exception was made for the unique Pentateuch described under No. 43 and such rare works as Petaḥ Debarai of 1492 and the Brescia Psalms of 1493, Nos. 40 and 42. Like Rosenthal and Wachstein, Cassuto does not seem to know the careful description of thirteen Soncino incunabula in vol. II, part 1 of Manzoni, *Annali tipografici dei Soncino*, Bologna, 1886.

Special attention is paid to the dates, and in some instances common errors are corrected. Under No. 19, Cassuto convincingly shows that the date of the first edition of the *Hagiographa* is wrongly printed, and that in Tishri 5248 the printer, by a slip of memory, repeated the date of the previous year, thus giving the impression that the third volume appeared before the first, while in the colophon to the latter he expressly refers to the other volumes as still to be printed. The error of Steinschneider in giving the date of the conclusion of printing the Pentateuch of the first complete Bible by Soncino, as February 23

instead of April 22, had already been pointed out by Manzoni, *l.c.* 152; not only Freimann and Jacobs, but also Darlow and Moule, No. 5075, repeated the mistake. Of wrong calculations of dates quite a number are found in all the works on our subject, and even Cassuto repeated one at least in No. 36 = Rosenthal 37. Kīmḥi's *Sefer Shorashim* is said to have been finished in Naples, Thursday, Rosh Ḥodesh Adar, 1491. The first of Adar of that year fell on the 11th of February, the date generally given for our book; but the 11th was a Friday, and therefore the first day of Rosh Ḥodesh, February 10th, must be meant. Rosenthal, No. 18, places the date of the colophon of the Talmudic treatise Niddah on July 22, 1489; but the 25th of Ab fell on the 23rd. The treatise Hullin was finished a month earlier, on the 15th of Tammuz, identified by Steinschneider with the 13th instead of the 14th of June (January in Freimann is a misprint). I may be permitted to add two more corrections of dates in this connexion. The earliest dated incunable, the Rashi of Reggio, was finished on the 10th of Adar, 1475, which is the 18th, not the 5th, of February. Ibn Ezra on the Pentateuch was finished on the 36th day of Omer,⁴ i.e. as De Rossi, p. 58, rightly remarks, the 21st of Iyyar. Steinschneider emphatically maintains (*Cat. Bodl.*, p. 680, comp. introduction, p. xix, note 16) that it is the 22nd, and all the bibliographers down to the *Probedruck* of the German *Gesamtkatalog der Wiegendrucke* follow him in giving the 3rd of May instead of the 2nd.

Some of the dates of the incunabula are unfortunately incomplete and cannot be identified with certainty; the statement

⁴ Mahler, *Handbuch der jüdischen Chronologie*, Leipzig, 1916, p. xv, maintains that dates were never given according to the 'Sephira'! The present case shows how necessary a Sefira table is for practical purposes. See also the date of the Mantua Josippon. The Sefira is frequently used in dating letters and responsa. The following three cases from colophons of manuscripts of the Seminary Library illustrate its application in different countries. Mishna Zeraim with Maimonides' commentary was finished in Yemen on the כ"ג בעמר, 1628 Sel = April 21, 1316, Nahmanides on Gittin the 36th day of Omer, 5157 = March 18, 1397, in Almunia, Spain, a Siddur on the 37th day, 5203 = April 22, 1443, in Arezzo, Italy.

in the Yosippon that it was finished on the 49th day of Omer without a mention of the year is perhaps the most striking instance. The day of the month is more frequently omitted. I lately came across a case in which an exact determination seems possible to me. The Lisbon Nahmanides (Rosenthal, No. 57), according to De Rossi, was printed in Ab, 1489. Steinschneider remarked that the day of the week was also mentioned in the colophon (reprinted *MGWJ.*, II, pp. 281-2), being expressed by **יום כוכב**, Wednesday. In this case we must expect that the day of the month was also given, and I find it in this very passage, **ביום כוכב** **אזי** **הוא** **משרת** **. . . . והחדש לישראל לאב הוא**. Here **אזי** contains the date. The printer cannot, however, mean the 18th of Ab = 16th of July, which fell on Thursday; we certainly must not count the **א**; perhaps he wanted to place dots over the other two letters, but forgot. A mistake on his part is also not quite impossible. However that may be, it is possible to date the book July 15, 1489.

I shall now add some remarks, following the order of Cassuto, referring at the same time to the parallel entries in Rosenthal.

The first book in Cassuto is the Mantua Josippon, which he describes as a folio, while Rosenthal calls it a quarto. Chwolson, **ראשית מעשה הדפוס בישראל**, p. 11, states that the two copies of the book he has seen are almost folio size. In this connexion it is interesting to remember that Azariah de Rossi speaks of two Conat editions, an assertion which Luzzatto in the name of Almanzi explains by the fact that Conat printed two editions, one on larger and one on smaller paper (*Ozar Nechmad*, II, pp. 12-13). De Rossi's assertion (*Annales*, p. 115) that Tam ibn Yahya in the Constantinople edition also refers to previous editions, Steinschneider rightly considers doubtful. As a matter of fact, Tam only speaks of his text in opposition to the Latin versions of Josephus. The Constantinople edition, to which De Rossi refers, contains nothing more than the Venice edition, which slavishly follows its predecessor, only placing the epilogue of the editor and the table of contents in the front of the book instead of at the end. It even imitates the colophon as closely as possible.

As the book is extremely rare—it is only found in Parma, the Vatican, and the Library of Columbia University, N. Y.—I give here this colophon from the latter copy (purchased from Catalogue Lehren, Amsterdam, 1899, No. 955), overlining the words which differ in the Venice edition: יפה וחשלם מלאכת שמים יפה
צרופה מזוקקת שבעתים על ידי המחוקקים המפוארים ר' דוד ור' שמואל
בנו נ' נחמיאש המה העושים את מלאכת הדפוס בתכלית השלימות ועל
ידם החזיקו אנשים אשר נשא לבם ליכנס בממונם והונם בעובי קורת
המצוה הזאת הלא המה ה"ר יעקב נ' יחיא וה"ר שמואל ריקומין ירצה
אל פעלם וצדקתם תעמוד להם עד עולם: והיתה השלמתו בר"ח אב שנת
ובנו נב"ר חומותיך בקושטנטינא רבתי אשר היא תחת ממשלת אדוננו
המלך שולטן ביאזיט יר"ה ותנשא מלכותו ובימיו ובימינו תושע יהודה
וישראל ישכון לבטח ובא לציון גואל וכן יהי רצון ונאמר אמין בילא"ו.

The Constantinople edition begins with the words בשם האל רם גוריון, which are written in a large old German hand in the beginning of the copy of the Mantua edition in Columbia, just as they are found in the facsimile of Baron Günzburg's copy in the front of his reprint of it (ed. Kahana, Berdichev, 1913) and the three copies of De Rossi. A. Cohen, *Hebrew incunabula in Cambridge*, p. 2 (*JQR.*, XIX, p. 745), takes these words as part of the text, as had been done by Roest when describing the Columbia copy (Catalogue קרית כפר, Amsterdam, 1867, p. 193). This copy is a small quarto. It once belonged to Andreas Osiander, who acquired it 'duobus nummis aureis' on July 7, 1526, from Joh. Bossenstain (= Boeschenstain), and presented it later to Matthias Hafenreffer in Tübingen. It afterwards came into the possession of Solomon Dubno. The second copy, described by Roest as on larger paper, is now in the Library of the Hebrew Union College.

The John Rylands Library at Manchester possesses a copy of Josippon on vellum (Catalogue, 1899, p. 953). As none of Conat's books is represented in Freimann's list of *Pergamentdrucke* (*ZfHB.*, XIV) this is the only known product of his press printed on vellum.

The contradiction in the date of the second number of Cassuto, Gersonides on Job, was already noticed by Steinschneider.

While giving extracts from the colophon to the Psalter of 1477, Cassuto ought not to have omitted the most interesting statement that the size of the edition was 300 copies, the same as that of some of the books printed by Sweynheim and Pannartz, the first Italian printers, at Subiaco and Rome, 1465-1472. In a letter to the Pope they enumerate twenty-eight books, nine of them printed in two editions, four of which they had produced in 300 copies, the others in 275 (see *Serapeum*, XIII, pp. 241-8; *Brit. Mus. Cat. of Incunabula*, IV, p. 15). 300 was also the size of John of Speyer's second edition of Cicero's *Epistolae ad Familiares*, Venice, 1469, and Philipp Lavagna's edition of the same book in Milan, 1472 (see Alfred W. Pollard, *An Essay on Colophons*, Chicago, 1905, pp. 32-3 and 151). Wendelin of Speyer published in Venice, 1470 and 1471, two editions of Sallust of 400 copies each (Pollard, pp. 37, 39). This was also the size of Solomon Alkabeš's edition of Kimḥi's commentary on the Later Prophets, Guadalajara, 1482 (evidently this is the meaning of the colophon, *Cat. Bodl.*, p. 869). Some of the earlier editions were much smaller; thus John of Speyer brought out a first edition of Cicero's letters as well as Pliny's natural history in only 100 copies each (Pollard, pp. 31, 35, 36). It is therefore quite likely that Baron Günzburg's hypothesis that Conat's edition of the *Tur Orah Hayyim* consisted of 125 copies is well founded (*Festschrift Chwolson*, Berlin, 1899, p. 60). He is certainly right as against Chwolson, *l. c.*, p. 7, in interpreting Conat's colophon to mean that 125 double leaves constituted the daily output of his press. To come back to our Psalter, the Breslau copy of this edition, according to Zuckermann's catalogue (p. 47), has not the name Neriyyah (one of the printers) in the colophon; the same is the case in our copy (formerly Ghiron-di-Schoenblum; *Cat. M. Spigatis* 76, Leipzig, 1900, No. 39), in which the last leaf is facsimiled, evidently from the Breslau copy. The typographical arrangement (reproduced by Wachstein, p. 36) shows that the

name must have been originally there, and probably was rubbed out in one copy.

The Moreh (No. 5) was, according to Chwolson (*l.c.*, p. 32), the first of the books which were printed in Rome and appeared in 1476 or 1477. Rosenthal (No. 49) places it *c.* 1475, suggesting an even earlier date as he finds the Rome prints more primitive and representing a lower stage of the development of printing than Conat's work. His reasoning, however (see p. 21), presupposes a general logical development of the printing craft for which there is no proof. The printers generally imitated their predecessors, the scribes, and it is possible that the Rome printers took another class of manuscripts as their models, than those of other cities. Perhaps an influence of Christian printers might be traced, as it is in itself not unlikely that some of the early Jewish printers may have served their apprenticeship with printers of Latin books. Were there Jewish artisans among the latter? I lack the familiarity with non-Hebrew incunabula which an answer to these questions presupposes. But a glance through the pages of the Rome volume of the British Museum Catalogue of Fifteenth-century Books will convince any one that there also printing in one column was far more common than in double columns. Rosenthal's second argument that the large square type used indicates greater age, and that only later were smaller and Rabbinic types employed, has no foundation whatever. The *Tur* of 1475 is printed in very small square characters, the Reggio-Rashi of the same year with Rabbinic type of a Spanish character, while e. g. the Zamora-Rashi of 1487 shows square type of a regular size. Lack of colophons is so common with undoubtedly later books that it is very risky to take it as an indication of an earlier date. Since colophons were common in Latin books printed in Italy long before the Hebrew ones, no special ingenuity was required to imitate this custom in Hebrew books. The argument from the selection of texts, that Nahmanides most likely preceded Gersonides, does not require refutation. On the other hand we have a positive date for one of the Rome prints which, I think, prevents our going back too

far. Seeligmann drew attention to the epigraph in Kimhi's Shorashim which is only found in the Amsterdam copy (*ZfHB.*, VII, p. 25), and Freimann (*ibid.*, note, cp. VIII, p. 127) showed that it contains a reference to the decision of a quarrel which was given in 1478. Here we have then one of these books which was printed after 1478. According to Seeligmann (*l.c.* and *ZfHB.*, XVII, 14) these incunabula were not printed in Rome.

This reference to Seeligmann also escaped Cassuto, who (No. 7) describes a splendid parchment copy of this book which, while containing all the blank leaves at the beginning and end, evidently lacks this epigraph which, in the Amsterdam copy, immediately follows the final words reproduced by Cassuto. This is perhaps a parallel to the Naples 1491 edition of the same book of which the British Museum copy has at the end the name of a printer, Catorze, not found in the dozen or so other known copies of this edition (see *infra*).

The Bologna Pentateuch of 1482 on parchment (No. 8) has a note of sale, unfortunately not a very early one—it is dated 1633—the price being thirty florins. The only other price found in the Florence incunabula is a statement that Maimonides' code (No. 28) was given as security for 8 giulii ($\frac{4}{5}$ of a scudo; Zunz, *Zur Geschichte*, p. 460) and should become the property of the lender if the money was not paid back in April—but no year is given. As we get only very few instances of the prices paid for incunabula such notes are of value. Freimann (*Ueber hebr. Inkunabeln*, p. 4) could only enumerate four instances, to which he later added a fifth (*ZfHB.*, XII, p. 38), a Kol-Bo purchased for 15 Bolognesi in 1575. The Seminary copy of the same book was acquired for 20 Bolognesi by Moses Finzi da Arezzo who lived about the same time. According to an undated statement in the Seminary copy of Nahmanides, Shaar ha-Gemul Juda (Leon) Gonzago acquired it for 2 giulii. Our copy of the Ixar Yoreh Deah was given as security for 20 marks in 1518 (למיטבן (מן ברוינלן בת דודי ה"ר אברליבא כהן ז"ל מרחשון רע"ט). A more interesting reference from the year 1500 is found in Pellicanus' autobiography (see *Das Chronikon des Konrad Pellikan*,

herausgegeben durch Bernhard Riggenbach, Basel, 1877, p. 20; *Die Hauschronik Konrad Pellikan's, deutsch von Th. Vulpus*, Strassburg, 1892, p. 22). A Tübingen bookseller sold him the Brescia Bible for $1\frac{1}{2}$ gulden, while he had thought he would have to pay 6 to 8 for so rare a book. (See also the price of Josippon quoted above.) Rosenthal also has a parchment copy of the Bologna Pentateuch (No. 6), which he combines with the Soncino Prophets as the first Bible edition, for which he asks 10,000 M.! forgetting the Hagiographa altogether, of which he has some parts (Nos. 26 and 28). The Seminary Library has one of the few paper copies of this Pentateuch, in which only a few pages are missing at the beginning and end; besides, it has two leaves on parchment which are printed on one side only, and had been used as binding for a book.

The correct number of pages for the Early Prophets (No. 10), Albo (No. 12), and the Later Prophets (No. 16) have already been given by Manzoni (pp. 58-9, 70, 133), for the latter also by Zedner (p. 121). Manzoni (pp. 133 and 152) also has corrected Steinschneider in the dates of the Maḥzor (No. 14) and the Soncino Bible of 1488 (No. 25).

The dated Ixar Pentateuch of 1490 (No. 32) is from the same press and has the same printer's mark as the undated one (No. 35), the colophon of which is reprinted here for the first time; accordingly the name of the printer, Eliezer Alantansi, ought to appear in both cases. Solomon Zalmati, as he himself says, only supplied the funds for the printing נאום השמה בפזר ממונו ונע ונד ממקומו בעבודת קונו, as he had done seven years earlier for the publication of a Latin commentary on the Psalms by the convert Perez de Valencia, the author of an attack on the Jews also printed in Valencia by the same printer, Alfonso Fernandez de Cordova, evidently a friend of Zalmati (Haebler, *Bibliografia Iberica*, p. 253). For the undated Pentateuch Cassuto gives 190, Wachstein (No. 70) 191 leaves, both put the printing c. 1490-5, following in this respect De Rossi, who considered אישאר a Portuguese city. Since the place has been identified by Zunz (*Zeitschrift*, pp. 135-6) as being in Spain, it is

of course evident that it must have appeared before the expulsion, and Zunz indeed expressly draws this inference. Rosenthal has one parchment leaf (Gen. 18. 10-30) of the dated Pentateuch (No. 55). Following a misprint in Freimann he calls the printer Alantasi.

For Kimhi's Shorashim, Naples 1490 (No. 33) Cassuto gives the name of Samuel Latif as printer. Latif, however, only served as a corrector to some printer, as he did to Soncino for the treatise Ketubot according to his epigraph of Dec. 15, 1487 (Freimann, *ZfHB.*, XII, p. 14). In Cassuto's abstract of the colophon the reference to the several copies he consulted and the claim of great correctness ought not to have been omitted. For the 1491 edition (No. 36) Cassuto missed the reference to Zedner, p. 200, who, as I mentioned before, found in his copy the name of the printer, Isaac ben Judah ben David, called Ben Catorze from Calatayud, Aragon.

Since the colophon of this edition, which is partly missing in the Florence copy, contains some interesting statements, and has not been reproduced, it may be given here according to the Seminary copy, adding in brackets the last four lines and the addition in the third line before them, which occur only in the British Museum copy. The ends of the lines are indicated by vertical strokes; the underlined words are printed in Rabbinical characters:

היום הזה יום בשורה הוא ואנחנו מחשים אליכם | אישים אקרא וקולי
 אל בני אדם יועצים וחכמי | חרשים זקנים עם נערים וישישים
 אנשים ונשים | בזו כסף בזו זהב ואין קין לתבונה אשר תמצא |
 נפשכם בשרשים האלה המחודשים כל שאר | הספרים הנדפסים בענין הזה
 תפל מבלי מלח ונוזר | עדשים ואלה הספרים לחם אבירים מאכל |
 מלכים מקדשי הקדשים והנה הסכמנו להדפיס | זה הספר בשני עמודים
 למען הרבות טובו ויפיו גם | המורה מקום חקקוהו מבית לך למען
 ירין קורא בו |
 והנה בתחלת הספר רשמנו באור כל פרשה בפרט | אחרי כן
 הסכמנו להזכיר בסתם הספר אשר | בו הפרשה בראשית שמות

ויקרא . . במדבר . . דבר' | וזה אמנם זכרנוהו לבל יתפוש עלינו איש שלא
 ידע | בינתינו ויחשוב שטעינו בהוראת המקום והנה זה | הספר גדול
 התועלת אל כל חכם לב גם אל המתחילים | בעיון ויותר מהמה אל כל
 מלמדי תינוקות וכל אשר | ידבנו לבו לקנותו תהיה נאמנת תורתו . . הנה
 שכרו | אתו . . ומיישלמה משכורתו נשלמו פה העיר נאפולי [על
 ידי החתום למטה] ביום | חמישי ראש חדש אדר' שנת חמשת אלפים |
 ומאתים ואחד ליצירה . . | [אני הדל באלפי מתושבי | עיר קלעה איוב אשר |
 במלכות ארגון . . | יצחק בן לאוע אבי יהודה בן דוד ז"ל המכונה בן
 קטורז']

Rosenthal (Nos. 35-7), following Freimann, ascribes both editions to Joseph Gunzenhauser. This hypothesis is entirely unacceptable. The two editions appeared within five months of each other about twelve years after the *editio princeps* we discussed before. That there should have arisen suddenly such a general demand for a dictionary of the Bible at Naples among the scholars, beginners, and especially teachers, to whom the printer looks as prospective buyers, does not sound probable, and one cannot understand why a printer should in such a way compete with himself. We certainly should expect some information about the peculiar circumstances in the colophon. Instead, Catorze only praises his **שרשים האלה המחורשים** as far superior to all printed works on the subject, thus including the *Maḳre Darḏe-ke* of 1488, as well as Latif's edition of *Ḳimḥi*. Moreover, the two editions are very different; not only is the earlier printed in one column, the later in two, but the former has the references in the margin, the other in brackets in the body of the text. The fact that in the 1491 edition two columns were omitted in the early part of the book (end of letter ד) and supplied at the end is perhaps due to hurried work in order not to give the other printer too great an advantage. This also accounts for the omission of the references to the pericopes of the Pentateuch after the first dozen folios or so referred to in the colophon. Furthermore, the type used is different in both, the Rabbinical characters employed for the references being much smaller in the former. Both sets of

type seem to me different from all the other fonts used at Naples, e. g. the ligature Ⓢ , which both use in the Rabbinical type, I have not seen elsewhere. (Similarly, Baron Günzburg, *Festschrift Chwolson*, p. 96, note, points to the difference between the Conat type used for the early part of the Yoreh Deah of 1477 [fols. 1-30 and 39] and the Ferrara type used for the rest as most evident in this same ligature Ⓢ .) Accordingly Rosenthal's statement that the types used are identical with those of Gunzenhauser's edition of Nahmanides' Shaar ha-Gemul is incorrect in both instances.

Of Avicenna's Kanon, Cassuto describes a fragment (No. 39), Rosenthal an almost complete copy (No. 39); Wachstein (No. 48) also has a copy. This book, of which I possess a copy myself, I lately examined rather carefully, and will go in this instance a little more into bibliographical detail. Following De Rossi, all the bibliographers state that the book is printed in two columns and has fifty lines to the column; only Cassuto notices that the number of lines varies, and that one page is printed in one column. This is the case with the recto of the first leaf of signature Ⓢ in Book I and the last four lines of fol. 8 b of signature Ⓢ of Book IV, in which two instances the lines are continuous, covering the whole page. In Book III, signature Ⓢ , fol. 3 a, only one column is printed in the middle of the page. The number of lines varies from 40-55, and differs greatly in the columns of one and the same page. To give a few examples picked at random: Book I, signature Ⓢ , fol. 3, col. 1 has 44, col. 2, 40, col. 3, 47, col. 4, 44 lines; in the following leaf col. 1 has 50, col. 2, 49, col. 3, 48, col. 4, 46 lines (counting the spaces left between the chapters as lines). This gives an idea of the uneven appearance of the book, of which I think we find no other example among Hebrew incunabula. Only Rosenthal noticed that in Book I, signature Ⓢ , leaf 8 a, we find on the margin a woodcut diagram of the bones of the neck. The collation of the book offers more difficulties. De Rossi counts 143, 192, and 141 leaves, Rosenthal 143, 194, and 140, Pellechet, No. 1670: 144, 194, and 142, Roest in his catalogue of the Rosenthaliana at Amster-

dam, p. 455, has 473, Wachstein 477, Zedner, p. 293, gives 486 pages; the last seems to be a misprint for 480, caused by the occurrence of the number 86 on the same line in the reference to De Rossi, which curiously is also misprinted as 486. Roest must have had a defective copy; the other discrepancies are due to the fact that most copies lack some of the blank leaves. Unfortunately no detailed collation of the British Museum copy is available. I used Steinschneider's complete copy, which has no blanks (474 leaves), and that of Columbia, which has three blanks, the only detailed collation of Wachstein, and that of Rosenthal. From these I derive the following collation:

Book I.	Preface and contents (1 ⁴), 1 and 4 b being blank; ⁸ ה-א, (1 ²), 1 b and 2 blank	= 70
„ II.	Contents (1 ⁶), 5 b and 6 blank; ⁸ ה-א, ⁶ ט, 6 b blank	= 76
„ III.	Contents (1 ⁸), 1 and 2 a blank; ¹⁰ א, ⁸ ב-ג, 7 b and 8 of last blank	= 194
„ IV.	Contents (1 ⁶), 1 a blank; ⁸ י-א, ⁶ יא, ⁴ יב	= 96
„ V.	Contents (1 ⁸), 1 blank; ⁸ ד-א, (1 ⁴), 4 b blank	= 44
		<hr/> 480

This method of collation, which is common in the description of incunabula in general, has to be applied consistently to the Hebrew incunabula as well. By this means it is easy to examine any copy and determine whether it is complete or what is missing. It is more convenient to follow the signatures of the books than to count through the whole volume as Wachstein does, and by this method the blanks left by the printer are most easily indicated and find their natural explanation. In the two cases where a new volume begins—the Kanon is mostly bound in three volumes, Books I-II, III, IV-V—i. e. with Books III and IV the recto of the first leaf of the table of contents is left blank. I think that this detailed description is not quite out of place here as it corrects the books reviewed in various points. In this connexion I want to draw attention to a very instructive paper: 'Desiderata in the cataloguing of Incunabula, with a guide for

Catalogue entries', by Arnold C. Klebs in *Papers of the Bibliographical Society of America*, X, 1916, pp. 143-63.

The rarest books described by Cassuto are the last two numbers. The Psalter of Brescia 1493 (No. 72) is not found in Oxford; Steinschneider includes the number 13 in brackets to indicate the fact, and but for a couple of leaves De Rossi was able to acquire, the copy in Florence is unique. De Rossi remarks that it was produced from the type set for the Brescia Bible which was printed at the same time, each column of the Bible text being broken into two so as to prepare a handy pocket edition of the Psalter. Other instances of the same practice by Soncino were given by Friedberg, *ZfHB.*, VIII, p. 158, who like Cassuto overlooked this remark of De Rossi about our book.

The most curious of the Florence incunabula is No. 43, Pentateuch, Megillot and Haftarot, which claims that its text of the Pentateuch was corrected according to the famous Hillelicodex. Cassuto contradicts Freimann's assertion that this edition was meant to serve as a Tikkun, since the text is too incorrect. It is much to be regretted that we have no specimen of this print which Freimann, who discovered it, intended to publish in facsimile (*ZfHB.*, VIII, p. 144). Since the Codex Hilleli remained in the Iberian peninsula down to the time of the expulsion (see Zacuto, *Juchasin*, ed. Filipowski, London, 1857, p. 220b), we are justified in ascribing this edition to a Spanish or Portuguese press.

As a supplement to his *Incunaboli* Cassuto published in the *Rivista Israelitica*, IX, pp. 167-73, and a reprint of seven pages 'Note bibliografiche sulla edizione principe del Kol-Bo.' He had found a copy of this incunable in the Collegio Rabbinico after his book had appeared, and upon careful examination of the book reached the conclusion that there is no basis for the assertion of the bibliographers which Rosenthal (No. 41) still follows, that the book was printed in Naples c. 1490. It belongs to the books for which neither place nor date is known.

One of the very rare incunabula which is dealt with rather briefly by Rosenthal (No. 40), the Behai of Naples, contains in its

long epigraph, which is for the first time fully reprinted by Wachstein, pp. 21-3, a statement which, if I interpret it right, is of great interest for the history of Hebrew typography. Azriel Gunzenhauser's brother-in-law, Moses ben Isaac, is called חריש חכם וחושב בחרושת עץ לעשות בכל מלאכת הרפוס פלא יועץ Steinschneider (*Zeitschrift für Geschichte der Juden in Deutschland*, I, p. 105) explains this 'war vielleicht ein Letternschneider oder Pressenverfertiger'. I think the text clearly implies that he was also, and in the first place, a wood-engraver. Our book contains some very pretty woodcut borders (see the reproduction in Wachstein, p. 20), a fact which strengthens this theory considerably. Besides these full-page borders the names of the books of the Pentateuch are printed in a woodcut frame. In examining the various Naples incunabula of our library I found that this woodcut frame of our book, the latest dated Naples incunabulum, occurs in the earliest Naples books, the parts of the Ketubim as well. It is reproduced by Rosenthal as No. 16 of the facsimiles from Proverbs 1487. We find it again in the Ibn Ezra of 1488 (see *Jewish Encyclopedia*, VI, 523), Nahmanides 1490, &c. Sometimes it is turned around, the bottom being put on the top. If we compare the various books we can see how the frame is gradually being broken on one side, and the signs of wear are very evident in the later books. If Moses ben Isaac is the wood-engraver whose work is used for the Beḥai, we therefore are justified in ascribing to him all the woodcuts used in Gunzenhauser's office, and these include most of those found in Italian incunabula.⁵ Whether they are the work of the same artist requires expert examination. Here I only wish to establish the fact that we have the name of an active wood-engraver working for a Hebrew printer. The question might also be raised whether Moses did some work for printers of Latin books, and whether perhaps the same designs also occur in non-Hebrew books. A careful investigation of the woodcuts illustrating Ibn Sahula's *Mashal ha-ḥadmoni* (not mentioned in W. L. Schreiber, *Manuel de*

⁵ See now Freimann, *Zur Geschichte der jüdischen Buchillustration bis 1540. ZfHB. XXI, 1918, p. 25 seq.*

l'amateur de la gravure sur bois et sur métal au 15^e siècle, V) might have an important bearing on this question. As a matter of fact it has been established that the border used by Tuppo in Naples, 1485, for his edition of Aesop occurs again in the first complete edition of the Hebrew Bible (Soncino, 1488); see F. Lippmann, *The Art of Wood-engraving in Italy in the Fifteenth Century*, London, 1888, p. 15, note (where Naples is wrongly given as printing-place of the Bible); A. W. Pollard, *Italian Book Illustrations*, London, 1894, p. 23, and *Early Illustrated Books*, 2nd edition, London, 1917, p. 83. Only researches in one of the great libraries abroad could throw further light on this problem.

On the most interesting Spanish and Portuguese incunabula of Rosenthal I shall only add a few brief remarks. No. 50, which the Seminary Library acquired together with No. 52, is different from the Guadalaxara edition of Kimḥi on the Later Prophets, of which the Breslau Seminary possesses a complete copy. The Zamora Rashi does not speak of three earlier editions of Rashi, as claimed under No. 52, but states that Rashi was the third book issued from the Zamora press, the preceding two being a Pentateuch and a prayer-book. No. 55 is recorded by Jacobs as 65, No. 66, which I have seen, is only part of a leaf containing Gen. 43. 29—44. 23. Instead of 'Kommentar', p. 27, line 1, read 'Targum'. Under 67 Leiria is called the last printing-place for Hebrew incunabula. This is incorrect. The last place is Barco, where Soncino printed in 1497.

In conclusion I wish to draw attention to a two-column article on an Hebrew incunabulum which, although a little older, is probably known to very few of the readers. A few years ago I received, through the kindness of the author, Mr. S. Seeligmann of Amsterdam, a reprint of an article 'Eene zeldzame Rasje-uitgave', which had appeared in *Centraal-Blad voor Israëlieten in Nederland*, XVI, No. 43 (1901). The author, who signs his name אישרי האיש, deals with the Rome edition of Rashi, of which the Seminary Library has a splendid complete copy, but his purpose is not to give bibliographical information, but to point to

the importance of the book for textual criticism, illustrating it by a few good readings not recorded by Berliner.⁶ This is a point in which the value of the Hebrew incunabula greatly differs from most of those in other languages. In the latter the texts commonly used are in every way superior to their early predecessors, being based on the best manuscripts which came down to us, and having profited by the vast advances of the study of philology. For most of the Hebrew texts the early editions are far superior to the modern reproductions, and they enable us in numberless cases to correct difficulties and establish a better text. Outside of the Bible editions examined by De Rossi, Baer and C. D. Ginsburg, and the Talmud treatises culled in Rabinovicz's *דקדוקי סופרים*, very few of these books have been consulted for modern editions (Kohut's *Aruk* is perhaps the most notable exception), and a collection of Hebrew incunabula and other early editions is therefore not a matter of curiosity to be relegated to a museum, but represents the indispensable tools for the Jewish scholar. Unfortunately they will retain this importance for a long time yet, since there is little prospect for an organized effort to produce the necessary critical editions of all these important works to supersede them, an effort which could only be directed by a Jewish academy with large financial resources.

I have in the foregoing review dealt at great length with the points in which I had to disagree with the authors on a subject to which I have devoted a great deal of time lately in connexion with the census of fifteenth-century books owned in America. I gladly state once more in conclusion that the books, and especially that of Cassuto, are a very important contribution to a field little cultivated, and that I derived from them most valuable information.

⁶ Lately J. Maarsen, *למשה חפארת Textstudien op den Pentateuch-Commentaar van Mozes Nachmanides, I (Genesis en Exodus)*, Amsterdam, 1918, corrected the text of that commentary in numberless cases on the basis of the early editions, especially that of Lisbon 1489 yielding very valuable readings. The earliest incunabulum edition. Rome before 1480. unfortunately was inaccessible to him.

CASSUTO, UMBERTO. *Gli studi giudaici in Italia negli ultimi cinquant' anni (1861-1911)*. Fascicolo I: Bibliografia. Roma, 1913 (reprinted from *Rivista degli studi orientali*, V). pp. 88, 8vo.

Italian Jewry has always maintained a high level of culture and education. While the number of standard works it can boast of is not very large, it can point to the *Aruk* as the classical dictionary of Talmudic literature for a period of eight centuries. Modern historical criticism in Jewish literature takes its starting-point from the famous Meor Enayim of Azariah de Rossi (Mantua, 1574), who was far in advance of his time. Among the founders of Jewish *Wissenschaft* in the nineteenth century Isaac Reggio, and especially Samuel David Luzzatto, take a very high rank. In spite of the relatively small number of Italian Jews, everybody familiar with the recent development in the field of Jewish literature is well aware of the important contributions in this field due to the zeal of the small band of devoted Jewish scholars in that country. The ten volumes of the *Rivista Israelitica*, a strictly scientific bi-monthly, contain a great number of articles of the highest value in all departments of Jewish learning and are indispensable to the serious Jewish scholar.

But even those who have more or less closely followed the progress of Jewish studies in the various countries will be surprised by the amount of work actually accomplished in the field of post-biblical Judaism in Italy during the last fifty years and recorded in Cassuto's careful and most valuable bibliography. It is only through it that we get full insight into this activity of our Italian co-religionists. Incidentally an index is supplied to the articles of scientific value which appeared in the various Italian Jewish periodicals (of course with the omission of the contributions of foreigners like Berliner or Steinschneider, which, however, at least in the case of these two scholars, are enumerated in the bibliographies of their writings). Luzzatto comes in for the last five years of his life only, but the numerous posthumous publications

are included (בית האוצר I was reprinted at Lemberg, 1881, 16mo). We get interesting bibliographies of Castiglione, Castelli, Chajes, Lattes, Modona, Mortara, Perreau, Soave, and Cassuto himself, to select a few of the large list, in which of course contributions to biblical literature are omitted.

Very numerous and important are the contributions to the political and economic history of the Jews in the various parts of Italy, frequently based on unpublished material from archives. Many of these appeared in local serial publications of the different cities and provinces which are not easily consulted or even generally accessible. Going over the bibliography of Cassuto, I came across a considerable number of references which greatly interested me and would otherwise have escaped my attention, and I am sure my experience will be duplicated by many others who consult Cassuto's thorough work.

For the principles followed in the compilation of this bibliography a slip in front of the volume refers to a second part which is to follow. Meantime we can gain some information on this point from the book itself.

The omission of Carmoly, *Annali della stamperia ebraica di Riva di Trento, recati in italiano da Giovanni Bampi*, Trentino, 1883, of Perreau's translations of Zunz's chapter on the Jews of Sicily, and of Berliner's *Delle Biblioteche italiane* and *Sei mesi in Italia*, shows that such translations of modern scientific articles are excluded on principle, while naturally translations of mediaeval Jewish literature are duly recorded (e.g. Maimonides' *Moreh* by Maroni, his *Logic* by Isaia Levi, *Cuzari* by Foà, *Ikkarim* by M. Sorani, Israeli's *Guide of Physicians* by Soave, &c.). The same applies to poetic works, and in this field not only the older poets (Judah ha-Levi by Barzilai, Benedetti e. o., Abraham ibn Ezra by Jona, Immanuel of Rome by Balzo, Benedetti, Modona, Sacerdote, Sepilli, or Moses Zacut and Jacob Daniel Olmo by Foa), but even the poems of Bialik by Sorani are included.

Works of authors hailing from Italy are included wherever written (e.g. Sabato Morais and Sacerdote), while of foreign scholars who have lived for a few years in Italy only those items

are included which appeared during their stay in Italy (see e. g. Margulies, Elbogen, Chajes).

It is characteristic of the country that a considerable number of important contributions to the study of mediaeval Jewry is due to the efforts of non-Jewish scholars such as Garucci, Guidi, Lagumina, Lasinio, and above all Perreau. In many instances it is hard to say whether the names belong to Jewish or non-Jewish scholars, as no indication is given, and only rarely short biographical notes are added which we would have liked to meet much less sparingly in these pages. Of course every one will realize how very difficult it is to gather such information, and we must be grateful to the author for what he has done in this respect.

One misses all the publications caused by the contest over the will of Caid Samama of Tunis, some of which, at least, like Castelli, *Il diritto di testare nella legislazione ebraica*, Florence, 1878, seem to consider the questions at issue from a general point of view, and are of interest for the subject of Jewish Law (see the list of titles in *REJ.*, XVIII, 156-77, to be completed by *HB.*, XIX, 101), and one of which, therefore, is included in Steinschneider's bibliography in his 'Allgemeine Einleitung in die jüdische Literatur des Mittelalters' (*JQR.*, XVII, p. 549, No. 35).

A few occasional cross-references would have increased the practical use of the book. Thus an article published under the name Feroso is recorded under Maroni with the statement that the former name is a pseudonym. But this is hardly known to everybody and ought to be stated under Feroso. Reviews ought also to be mentioned in connexion with the name of the book itself.

Levi, תקנות שי"ד, is better known under the title of the reprint (Brody, 1879, 16 pp., 16mo): תקנות חכמים; see Steinschneider, *Geschichtsliteratur*, § 115. The many instances of reprints with special title and pagination of articles by Perreau, Lattes, Cassuto, and many others ought perhaps to have been recorded.

Bampi, 'Della stampa e degli stampatori nel principato di

'Trienti fino al 1564,' *Archivio Trentino*, II, fasc. 2, 1884, which deals with Markaria's Latin publications connected with the Trent Council (unknown in *ZfHB.*, X, p. 94, and inaccessible to me even now), and Cesare Musatti, 'Il maestro Mosè Soave,' *Arch. Venet.*, XXXVI, part 2, 1888, are the only additions I can make to the bibliography, besides the article 'Ventura, Rubino' in *Jewish Encyclopedia*, XI, by the author of the bibliography. P. 82 read M[oritz] Steinschneider instead of M[ax].

The only thing one misses in the useful volume is a subject-index grouping the material recorded and thus facilitating its use and increasing its helpfulness, but such an addition was probably excluded by the scheme of the larger work from which Cassuto's is reprinted: 'Gli studi orientali in Italia negli ultimi 50 anni', published by the Scuola Orientale at the University of Rome. Perhaps the promised second part will in some way supply this demand.

It is much to be desired that Dr. Cassuto should follow up this volume with a continuation every five years or so. He would be sure of the sincere thanks of all those interested in the furtherance of Jewish literature.

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WOLF'S NOTES ON THE 'DIPLOMATIC HISTORY OF THE JEWISH QUESTION'.

Notes on the Diplomatic History of the Jewish Question, with Texts of Treaty Stipulations and other Official Documents. By LUCIEN WOLF. Printed for the JEWISH HISTORICAL SOCIETY OF ENGLAND. London: 1919. x. pp. 133.

It is a very interesting and important contribution to diplomatic history, Jewish history, and the history of religious liberty in general, which Mr. Lucien Wolf has made in this book, to which he has given the very modest title quoted. Prepared originally as a paper read before the Jewish Historical Society of England in February 1918, Mr. Wolf expanded it and published it in time for use in connexion with the Peace Conference, and its full transcript of documents made the work particularly useful for that purpose. It is interesting to observe that both the American Jewish Historical Society (in 1906, 1916, and 1918), and the English Society (in 1918), recognizing the value of history as a *Hilfswissenschaft*, issued elaborate historical studies of various phases of the Jewish question in diplomatic history, for such practical use. As our author well says in his preface to the present work:

'The Jewish Question is far from being a subsidiary issue in the Reconstruction of Europe, (but has) a great tradition of effort and achievement in regard to it, and this tradition, apart from the high merits of the task itself, imposes upon them (the plenipotentiaries at the Peace Conference) the solemn obligation of solving the question completely and finally, now that the opportunity of doing so presents itself, free from all restraints of a selfish and calculating diplomacy. It is not only that the edifice of Religious Liberty in Europe has to be completed, but also that some six millions of human beings have to be freed from political and civil disabilities and social economical restrictions which for calculated cruelty have no parallels outside the Dark Ages. The Peace

Conference will have accomplished relatively little, if a shred of this blackest of all European scandals is allowed to survive its deliberations'.

Mr. Wolf freely and avowedly draws on Dr. Cyrus Adler's *Jews in the Diplomatic History of the United States*, Kohler and Wolf's *Jewish Disabilities in the Balkan States*, and M. J. Kohler's pamphlet, *Jewish Rights at International Congresses*, reprinted from the *American Jewish Year Book for 1917-1918*; Kohler's *Jewish Rights at the Congresses of Vienna and Aix-la-Chapelle*—which would have supplemented Mr. Wolf's narrative regarding those two early congresses—was not available to him, having been issued nearly simultaneously with the present work. It might have been helpful if Mr. Wolf had incorporated more fully American precedents, and had not contented himself so largely with mere cross-references to Dr. Cyrus Adler's volume, for America has, as Mr. Wolf himself well says (p. 5, compare 54), 'on many occasions shown a really noble example of the purest altruism in international politics'. Moreover, he also frankly points out (pp. 4, 5, 54-5) that European reasons of state often complicated and shaped their action, in connexion with Jewish emancipation, while America, freer from such entangling alliances, acted more in accord with principle and set the precedents which Europe is now following more and more. In fact, at the close of a war 'to make the world safe for democracy', the entire argument would have been greatly strengthened by a frank recognition of the fact that the movement for international safe-guarding of religious rights is but an application, in the international field, of America's fundamental, constitutional, separation of Church and State and internal constitutional guarantees for religious and civil liberty regardless of race and creed, since adopted by Western Europe. We therefore miss citations of the valuable writings of David Dudley Field, John Forsyth, Thomas F. Bayard, S. M. Stroock, and Oscar S. Straus, and of H. C. Hodges's *Doctrine of Intervention*. Accordingly, in the light of the very early treaty between the United States and Tripoli of 1796, the statement should be modified (p. 68) that the

French treaty of 1864 with Switzerland, assuring French citizens 'without distinction of creed' rights in Switzerland, is 'a form of article without precedent in instruments of this kind', though the statement is probably true of Europe from the period beginning with the Napoleonic downfall. On the other hand, in the consideration of Swiss discriminations, we miss reference to Napoleon III's and earlier valiant and vigorous espousals of the Jewish cause, which led to the adoption of this very treaty, and paved the way for the Swiss treaty with the United States too. We also miss reference to other forcible French *pronunciamientos*, for instance, the discussion of the important Russian treaty violations in the French Parliament in December 1909, and to Dutch and other utterances with respect to Switzerland, and earlier incidents. On the other hand, it is interesting to read the statements from the pen of Montefiore's chief biographer (p. 18): 'Meanwhile (after the Crimean war), under the influence of Sir Moses Montefiore, and more especially of his jealousy of M. Cremieux, the Jewish Board of Deputies had plucked up a measure of courage, and had begun to take a more active interest in the larger political questions which involved the future of their foreign co-religionists'. Nor does Mr. Wolf's cross-reference to Stern's *Urkundliche Beiträge über die Stellung der Päpste zu den Juden* conveniently dispense with useful references to Papal intervention on behalf of the Jews, particularly to the Pope's recent communication on behalf of the Jews in Poland, issued at the instance of the American Jewish Committee.

In view of Mr. Wolf's express disclaimer of completeness, it would be ungracious to enumerate other items which might have been included. This is all the more true, as the book before us does not confine itself to proceedings at international conferences, but includes the entire range of diplomatic action, and contains many new 'finds' hitherto overlooked. It also embraces as a final section 'The Palestine Question, and the National Restoration of the Jews', where interesting and hitherto unpublished documents of 1841 appear, regarding a proposed establishment, then already, of a separate state in Palestine under European

auspices. On the other hand, Hyamson's and Sokolow's recent works would have supplemented this section.

As rush in getting this valuable work out for use by the Peace Conference and exigencies of space, compelled curtailment, it may answer a useful purpose to add here references to the elaborate 336 pp. report of the U. S. House of Representatives of December 11, 1911, on the proposed termination of the U. S. Treaty with Russia (32nd Cong. 2nd Session House Report, No. 179), and to the treatment of that subject and the Kishineff Massacre Petition in Simon Wolf's *Presidents I Have Known*, to Prof. David Kaufmann's scholarly treatment of the International Intervention on behalf of the Jews of Bohemia in 1744, in his *Gesammelte Schriften* (II. 328-373), and to Krenkel's elaborate transcripts of the British documents on the same incident in the *Monatsschrift* (1900, vol. 44, pp. 177 *et seq.* and 259 *et seq.*). American Jews will learn with interest, however, from the present work (pp. 82-3) that Sir Edward Grey advised the British Jewish Conjoint Committee, on October 1, 1912, after the United States had abrogated the Russian treaty, that England's support of our position would also have led to her termination of her treaty with Russia, which 'result would in no way advance the interests of those whom you represent, and would in other respects be disadvantageous to British interests'.

In discussing (p. 64) the important question of the evolution of recognition of the status of the Jews as full subjects, reference might be made to the important British precedents established as far back as 1672, when the 'Council for the Plantations' overruled a Jamaican court and held, in Rabba Couty's case, that Jews were not aliens under the 'Navigation Act', and again in 1675, when they secured the recognition of British Jews settled in Surinam as British subjects, under the treaty of Breda, as against Dutch efforts to restrain them.

In one of the few passages in the valuable work before us, in which Mr. Wolf gives expression to his personal views, instead of contenting himself with explaining and setting forth important documents—often first discovered by himself—he well says

regarding the Congress of Berlin (p. 24): 'It made it a principle of European policy, that no new state or transfer of territory should be recognized, unless the fullest religious liberty and civil and political equality were guaranteed to the inhabitants'. This is the thesis of this book, and it was doubtless a great satisfaction to the loyal and scholarly British Jewish author to have unearthed the British utterance of eleven years earlier, 1867, from the British State Papers regarding Rumania (p. 24): 'The peculiar position of the Jews places them under the protection of the civilized world.'

MAX J. KOHLER.

New York.

POSTSCRIPT.—Some of the materials collated by Mr. Wolf and the other workers in this field are embodied in the monumental letter of Clémenceau on behalf of the Peace Conference, to Premier Paderewski, dated June 24, 1919, accompanying the Polish treaty; they can be conveniently found in the *American Jewish Year Book* for 1919; the *October 1919 Supplement to the American Journal of International Law*, pp. 416-436, and in *British Treaty Series*, No. 8 (1919). The French Government published an elaborate summary of Jewish memorials to the Peace Conference in the official periodical, 'Recueil de Documents étrangers', dated Paris, July 31, 1919, No. 46, issued by the Ministries of Foreign Affairs and of War, entitled 'La Question juive devant la Conférence de la Paix.'

SAEKI'S 'NESTORIAN MONUMENT IN CHINA'

The Nestorian Monument in China. By B. Y. SAEKI, Professor at the Waseda University, Tokyo. London: SOCIETY FOR PROMOTING CHRISTIAN KNOWLEDGE. 1916. pp. xii. 342.

A MONUMENT, which may fairly be said to rank in importance with the Rosetta Stone and the Rock of Behistun, stands to-day in one of China's deserted capitals the sole tangible evidence that a thousand years ago there were some millions of Christian believers living in the Middle Kingdom. This is the Nestorian inscription of Hsian-Fu, erected in 781 by a grateful Bishop to declare the nature of the faith and testify to its protection by one of the T'ang Emperors of China. It seems to have disappeared in the persecution of the creed which followed within a century of its erection, and was not unearthed until 1625, when certain Jesuit missionaries published the news of its discovery to the world, to be so completely discredited by Protestants and unbelievers in Europe that the monument was not submitted seriously to study until two generations ago. Replicas of the stone exist now in the Metropolitan Museum, New York, and at Koya San, in Japan, while numerous rubbings have been distributed broadcast. Yet, while its contents are thus secured to scholarship for ever, it is rather curious that no seat of learning in America except Yale should thus far have thought it worth while to possess itself of a full-sized cast of China's one unchallenged monumental contribution to history.

Professor Saeki's purpose in adding to the literature on this subject seems to be two-fold: to account for the extraordinary disappearance of a numerous body of Christians from China after the ninth century, and to show that Nestorians brought to that country the conception of a personal God and of salvation through faith in Him, thus contributing to the creation of what 'is known to-day as Chinese Buddhism, and to confirm the belief in Amitabha'. On the first point he reaches the notable conclusion that after the persecution in 845 most of the Chinese Nestorians

found refuge in becoming Moslems, while after the Mongul irruption all Christians remaining in Central Asia—between Iran and China—were swallowed up in the conversion of the Tartars to Islam; that the greater number of Moslems (reckoned at twenty millions) in China to-day are descended not from original converts to Islam but from Nestorian Christians; that the issue of those who were not thus perverted are to be discovered to-day in the secret society called *Chin-tan Chiao*, ‘Pill of Immortality Sect’, still widely spread and powerful in the northern Chinese provinces and Manchuria. Professor Saeki identifies the founder of this sect, Lü Yen, with the scholarly calligrapher of the Nestorian monument, whose name appears upon the stone. The evidence adduced for these conclusions is ingenious, and it is by no means impossible to account thus for the survival of the more faithful adherents of a creed that was done to death officially in the ninth century. But no positive testimony appears thus far to support a theory that without further proofs drawn from contemporary T’ang literature is not likely to convince historical scholars.

The author’s second postulate involves him in the fascinating but illusive problem of the source of the atonement and salvation doctrines common to Mahayana Buddhism and Christianity. The streams that transformed Hellenism, Judaism, and Hinayana Buddhism alike all seem to flow from the region of ancient Bactria, but what connexion they had with each other is a question still unanswered. Professor Saeki cannot be said to have proved his contention that the Vairochana sect and Nestorianism in China held practically the same tenets—at least in the minds of the Chinese of the T’ang period—but his scholarship and acquaintance with the literature of *Shin-Shu*, the Japanese ‘True Religion Sect’, throw new light upon the matter. His discussion of every issue dependent upon the monument is sufficient in its erudition to win the approval of Professor Sayce in a complimentary preface; it fills half of the volume, the rest of which comprises a new translation of the inscription, notes and *pièces justificatives* in Chinese. The book is distinctly worth having, and might be called one of the most valuable among many contributions to the broader study of Christianity issued by the well-known Society, which assumes the cost and risk of publication.

F. WELLS WILLIAMS.

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國	祝	天	敬
天	是	畏	敬
帝	上	天	昊
化	宣	天	奉
帝	上	事	昭

主	教	真	清
象	無	宗	教
真	天	法	教
宗	法	象	無
人	畏	天	敬

為化為育理修化育之全

積氣積形道居形氣之元

道源於天五十三卷儲生天生地生人之理

教宗於聖二十七字得傳心傳道傳書之概

有不滿象無不淪虛道更在有無之外

理自尊天義惟法祖常居禮義之先

由開闢而立教法宗無象

自然合而傳經道本一中

生生不已常生主

化化無窮造化天

識得天地君親師不遠道體正張

修在仁義禮智信便是聖賢源頭

統天地人物以立道不尚名象

合君親師友以立教非涉虛空

FIG. I. REDUCED FACSIMILE OF CODEN SASSOON NO. 456

INSCRIPTIONS IN THE SYNAGOGUE IN KAI-FUNG-FOO

BY DAVID S. D. SASSOON, London.

THE following article is in connexion with the important document (Codex Sassoon, No. 456) which has lately come to me as a gift from my cousin Mr. Reuben D. E. J. Abraham of Shanghai, whose father is one of the leaders of the community and an indefatigable worker there, and who himself was also the president of the Society for the Rescue of the Chinese Jews *חברה לעזרת בני ישראל הצינים*—now defunct—which was formed in 1900.

Father Jerome Tobar in his *Inscriptions juives de K'ai-fong-fou*, published by the Catholic Mission, Shanghai, 1912, mentions that they had lately received from Rome several documents relating to the Synagogue in Kai-fung-foo. Among these was a copy of several inscriptions which decorated the Synagogue, and which had been sent to Rome by missionaries, and very likely by Pater Gozani himself who discovered the inscriptions suspended in the Synagogue at Kai-fung-foo in 1702.

Tobar also mentions having used for his publication, copies of hanging inscriptions which G. Devéria himself had made, and also the diary of the two Chinese envoys sent to Kai-fung-foo by the London Society for Promoting Christianity among the Jews, entitled *The Jews at Kae-fung-foo*, published by the Rev. G. Smith, Shanghai, 1851.

My manuscript gives the Principles only, whereas Tobar has complete copies of the twenty-three horizontal and

seventeen vertical hanging inscriptions. Nearly all his inscriptions have the date, and some have also the names of the donors or the names of the scribes who wrote them after having washed their hands, and in some cases all three are mentioned. In the horizontal inscriptions these are given in vertical lines on the right and left of the text. Most of the horizontal ones are dated, the earliest being 1656, and the latest, 1679. Of the seventeen vertical, five are dated, four being 1668, and one 1676.

The manuscript which is in my possession consists of one long sheet of very thin Chinese paper of a yellowish tinge. It measures $30\frac{1}{16}$ inches by an average of $9\frac{9}{16}$ inches wide.

First of all I shall give a copy of the testimony in Latin, written, signed, and sealed by the Jesuit Visitor in 1705, as follows:

‘Inscriptiones, quae in hoc folio descriptae sunt, appensae prostant in publica Synagoga Iudaeorū Sinensiū Provinciae Ho Nan, quae erecta est in metropoli *Cai Fum Fu*.

Ita est, et in hunc fidem subscripsi
Philippus Grimaldi e soc Ies. Visr.
Pe Kim 8^{us} 9bris 1705.’

(Translation.)

The inscriptions, which are written out on this page, stand hanging in the public Synagogue of the Chinese Jews of the Province Ho Nan, which is erected in the metropolis Cai Fum Fu.

Thus it is, and in witness hereof I have signed
Philip Grimaldi of the Soc. of Jes. Visitor
Pe Kin 8th November, 1705.

The seal, of which the colour is red, reads as follows: 'Societatis Iesu Vis. Iap. et Chin.' (Society of Jesus Visitor, Japan and China).

My document has seventeen inscriptions, ten horizontal and seven vertical. Gozani, in 1702, gave seven horizontal and five vertical. From the dates we know that all the hanging inscriptions must have been in the synagogue when Gozani visited it, but it is not improbable that the missionary was not allowed to enter the place where some of the inscriptions were. Finn, in *The Orphan Colony of Jews in China*, p. 62, says: 'The men told us that several strangers had before tried to enter, but they would not allow them to do so, because many of them were merely pretended professors of their religion', and the following is in a foot-note: 'Were these the Jesuit missionaries of the previous century?' The same author on p. 65 gives an incomplete copy of an inscription, and remarks: 'While engaged in copying the above, before I had quite finished the sentence, a man of the name of K'heaou, who had attained a literary degree, came and drove me unceremoniously out of the temple, telling me to be careful of what I was doing.'

My manuscript, which is in Chinese from right to left, is written very carefully in a most beautiful hand. The ten horizontal inscriptions are in large and bold characters, whilst those of the vertical ones are much smaller. Each vertical inscription has three seals, one quadrangle seal at the right-hand top, and two square ones at the left-hand bottom. In the top square of the first vertical inscription is written the word *sigillum*, which shows that all the quadrangles and squares are meant for seals. It is usual with the Chinese to put their seals on nearly everything they make.

It should be noted that on comparing the horizontal inscriptions in my manuscript with Tobar's book, I find three slight variations: in Nos. 6 (Tobar, No. 14), 7 (Tobar, No. 10), and 8 (Tobar, No. 8), namely, the second character in No. 6 and the fourth character in No. 8, reading from right to left, both being the same, differ in the same way from Tobar's, and in No. 7, the fourth character varies from Tobar's. It is remarkable that inscription No. 10 in my manuscript is not given by Tobar at all, notwithstanding that he has as many as twenty-three horizontal ones. The following are the respective dates of the inscriptions which I have taken from Tobar's work. The numbers refer to the order in which they come in the manuscript.

	Nos.	Dates.
Horizontal:	1	1678
	2	1670
	3	1658
	4	1661
	5	1656
	6	1679
	7	1658
	8	1656
	9	1670
Vertical:	11	1668
	12	1668
	13	1676
	14, 15, 16,	no dates.

The following is an interesting example of the manner in which one of the dates is given. I have copied it from Tobar (p. 27, Inscription 12). This date would belong to No. 11 in the manuscript:—

‘The inscription has been hung on a happy day on the

1st decade of the 9th moon of the year meou-chen [1668]. It is Ngai-Fou-cheng, member of the noble [Jewish] Religion, who, after having washed his hands, respectfully wrote this inscription.'

The English translation was also very kindly sent to me by Mr. Abraham. It was done by Mr. Charles Budd of the Tung Wen Kwan Translation Office, Shanghai, from whose letter to Mr. Abraham, I give the following interesting extract: 'The inscription is an attempt to express foreign theological and philosophical terms in Chinese, and such documents are much more difficult to translate than purely Chinese documents, especially when the ideas to be conveyed from one language to the other are abstract or abstruse. In some cases it is extremely doubtful whether the original ideas are clearly conveyed in the Chinese terms of the Inscriptions, as some of these terms would bear different renderings. My translation is somewhat stiff, but it follows the apparent meaning of the original closely.'

The 'fifty-three chapters' mentioned in inscription No. 12 *a*, are the weekly Parashiyyoth which make up the annual cycle of the Pentateuch. This is in accordance with the list of weekly Parashiyyoth given by Maimonides in the Yad Haḥazaka at the end of הלכות ברכות, the number of which is fifty-three, נצבים (Deut. 29. 9—Deut. 30) and וילך (*ibid.*, 31) being counted as one Parasha. From the fragments of the manuscript prayer-books from Kai-fung-foo we see that the Chinese Jews, like the Persian Jews, followed the ritual laid down by Maimonides. The rubrics in those manuscripts are all in Persian, and most of the Pizmonim therein also exist among the Persian Jews. This shows that at least during the last few centuries the Kai-fung-foo colony received their Jewish education from Persia.

There is also other evidence of this. It is from a twelfth-century manuscript of a Masoretic Pentateuch (Codex Sassoon, No. 158) of Persian or Babylonian-Persian origin, which I acquired when in Baghdad in 1910. In this Codex each Parasha is carefully indicated in the margin by the word פֶּרֶשׁ within an illuminated design. In the case of the Parasha וִילָךְ it is not so marked but it is treated as a continuation of the preceding Parasha נִצְבִּים. In my Farhi Bible (Codex Sassoon, No. 368, dated 1366-83) also, the number of פֶּרָשִׁיּוֹת is given at the end of the Pentateuch as fifty-three. There are three Masoretic lists in that manuscript in all of which וִילָךְ נִצְבִּים are treated as a single Parasha.¹ By the way, I may remark that I found several fragments of Judeo-Persian songs in the binding of my Baghdad manuscript.

The next thing we find are the six words the mnemonic sign of which is בִּיחַ שְׁמוֹ, as to which the Masorah prescribes that they should, respectively, be written 'at the beginning of the line and at the top of the column, in the scrolls of the Law'. They are:

(1) בְּרֵאשִׁית (Gen. 1. 1), (2) יְהוּדָה (*ibid.*, 49. 8), (3) חֲבָאִים (Exod. 14. 28), (4) שְׁמֵר וְשִׁמְעָה (Deut. 12. 28), (5) מִוְצֵא שְׁפָתֶיךָ (*ibid.*, 23. 24), (6) וְאֶעֱרֶה בָּם (*ibid.*, 31. 28). The scrolls of the Law which were brought from Kai-fung-foo, however, differ from this order in two instances, namely, instead of יְהוּדָה they have יִשְׁשַׁכַּר חֲמֹר גֶּרֶם (Gen. 49. 14), and instead of שְׁמֵר וְשִׁמְעָה they have שְׁפָטִים וְשִׁטְרִים (Deut. 16. 18). These differences are in complete agreement with my Baghdad manuscript, which, as I have already said, is of Persian

¹ It is extraordinary that in this manuscript the passage beginning אִם כִּסֵּף תִּלְוֶהָ (Exod. 22. 24) is treated as a Parasha and a special Haftara given for it, namely, Jeremiah 31. 30 to 33. 16.

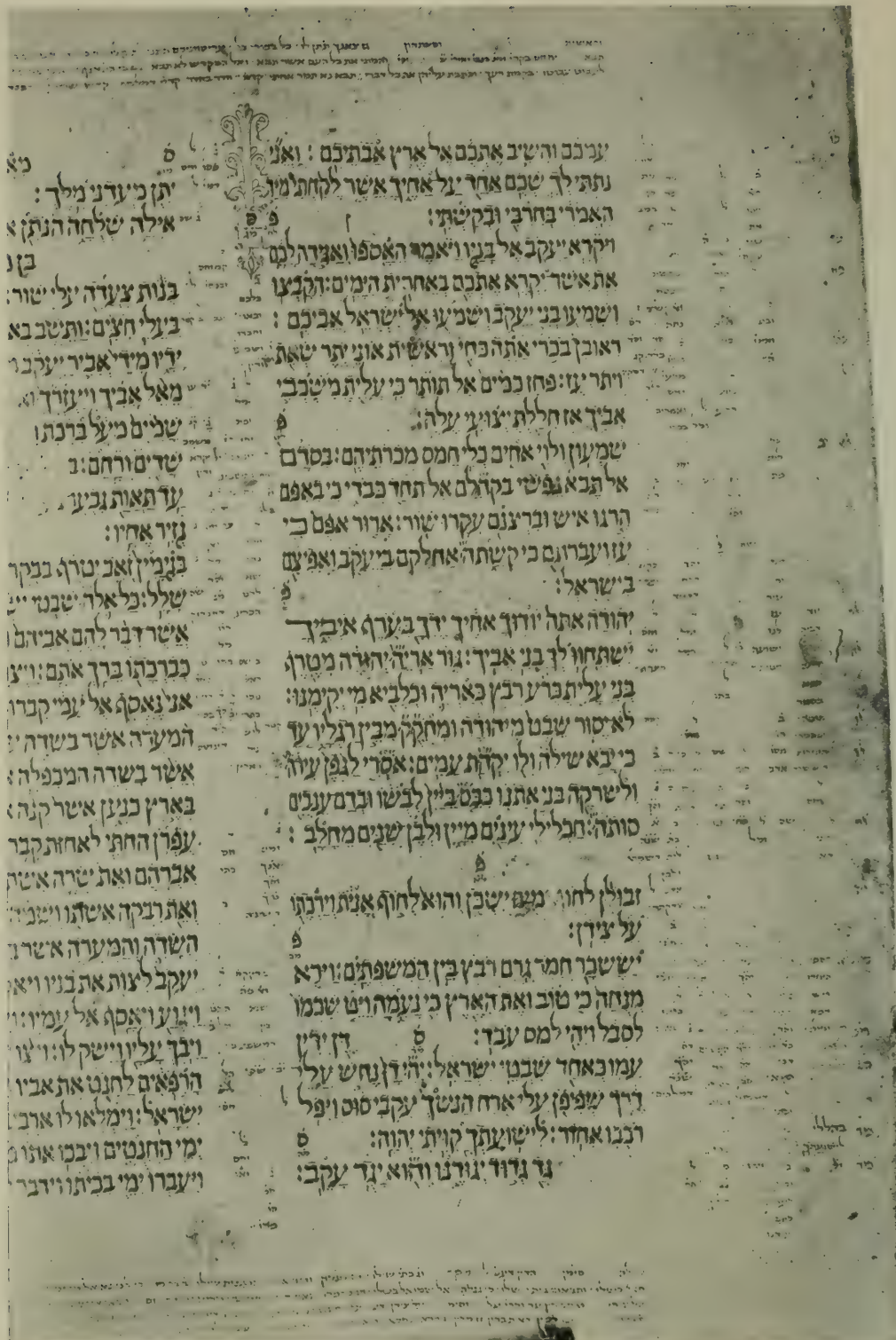


FIG. 3. REDUCED FACSIMILE OF A COLUMN FROM THE RABBI SHEM TOB BIBLE (CODEX SASSOON NO. 82) WITH THE MARGINAL RUBRICS ON THE RIGHT.

origin. It is a matter of gratification to prove, I think, for the first time, that these two remarkable deviations from the Masorah are not in any way due to mistakes or carelessness, but are strictly in accordance with certain ancient Codices which are now lost. Proof of this is to be found in the famous model Codex of the Bible (Codex Sassoon, No. 82), written by Rabbi Shem Tob ben Rabbi Abraham ben Gaon (הרב מגדל עון) and completed in Soria, in Spain, in the year 5072 (= 1311-12). Here, against the name יהודה (Gen. 49. 8), the following important rubric is given in the margin: יו"ד דבִּיה שְׁמוֹ רִישׁ דְּפָא בִּסְפֵר תּוֹרָה, וּבִסְפֵרֵי: העזרות דִּישְׁכַּר—the Yod of בִּיה שְׁמוֹ should be at the beginning of the column in the scroll of the Law; but in the Codices of the 'Azaroth (or Court), it is the Yod of יִשְׁכַּר (*ibid.*, 49. 14). Likewise, lower down, against יִשְׁכַּר (*ibid.*), the Masorah remarks: בִּסְפֵרֵי הָעוֹזֵר ו' רִישׁ דְּפָא וּפּוֹלֵג—in the Codices of the 'Azaroth it is at the beginning of the column, and there is a difference of opinion about it. These 'Codices of the 'Azaroth' are those Codices which the Talmud Yerushalmi (Ta'anith 4. 2) says, were found in the Court of the Temple, as follows:

ג' סְפָרִים מִצְאוּ בַּעֲזָרָה סֵפֶר מַעֲוֵי וּסְפֵר זַעֲטוּטֵי וּסְפֵר הָיָא בֵּא' מִצְאוּ כְּתוּב מַעֲוֵן אֱלֹהֵי קֶדֶם וּבִשְׁנֵים כְּתִיב מַעֲנָה אֱלֹהֵי קֶדֶם וּקִימוֹ שְׁנִים וּבִטְלוּ א' בֵּא' מִצְאוּ כְּתוּב וַיִּשְׁלַח אֶת זַעֲטוּטֵי בְנֵי יִשְׂרָאֵל וּבִשְׁנֵים כְּתוּב וַיִּשְׁלַח אֶת נַעֲרֵי בְנֵי יִשְׂרָאֵל וּקִימוֹ שְׁנִים וּבִטְלוּ א' בֵּא' מִצְאוּ כְּתוּב חֲשַׁע הָיָא וּבִשְׁנֵים כְּתִיב י"א הָיָא וּקִימוֹ שְׁנִים וּבִטְלוּ אַחַד:

Three Codices were found in the Court [of the Temple], Codex *Me'oni*, and Codex *Za'atuti*, and Codex *Hi*. In one [Codex] they found written מעֲוֵן אֱלֹהֵי קֶדֶם (Deut. 33. 27), and in [the other] two [Codices] מַעֲנָה אֱלֹהֵי קֶדֶם, the [reading of the] two [Codices] was confirmed and [that of the] one [Codex] was abandoned. In one [Codex] they found

written וישלח את זעמוטי בני ישראל (זעמוטי = the young people) (Exod. 24. 5), and in [the other] two [Codices] וישלח את נערי בני ישראל, the [reading of the] two [Codices] was confirmed and [that of the] one [Codex] was abandoned. In one [Codex] they found [the word] היא written nine times [with *yod*], and in [the other] two [Codices] היא eleven [times], the [reading of the] two [Codices] was confirmed and [that of the] one [Codex] was abandoned.

(Translation.)

1

Reverence Heaven and pray for blessings on the country.

2

Reverence and fear the Glorious Heaven.

3

The Glorious Heaven—the Supreme Ruler!

4

By Heaven's command proclaim (the principles).

5

Intelligently serve the Supreme Ruler.

6

Lord of the Pure and True Religion.

7

Images have no part in this Religion.

8

The Law of this Religion is Heaven's Truth.

9

Image (worship) is not a part of this Law.

10

Reverence Heaven and respect men.

11

a. [He] creates and nourishes ; [His] Doctrine contains all production and sustenance ;

b. [He] collected together the breath and settled the forms : the Doctrine existed before form and breath.

12

a. The Source of the Doctrine is from Heaven ; fifty-three chapters contain the complete Doctrine of the production of the heavens, the earth, and men.

b. The foundation of the Religion is in holiness ; twenty-seven characters (27 = 22 letters and 5 finals) can transmit the hidden meaning of mind, doctrine, and learning.

13

a. Although existing (it) is not in images ; although not (existing) (it) is not lost in vacuity : the Doctrine is still outside the existing and non-existing.

b. Ritual is (derived) from honour given to Heaven ; righteousness is the law of the heart ; (but the Source) always existed before ritual and righteousness.

14

a. This Religion was established by Ah-lo ; the principles of the Law do not (permit) images ;

b. The Scriptures were transmitted by Mëh-shê : the Doctrine is the original and true one.

15

a. Unceasingly producing ; the constant Lord of production ;

b. Creating without end ; the Lord of creating.

16

a. Those who recognize Heaven and Earth, the Sovereign, Parents, and Teachers, cannot stray far from the correct path of doctrine and virtue.

b. Improvement of moral character is to be found in benevolence, righteousness, propriety, knowledge, and sincerity, which are the sources of virtue and holiness.

17

a. The whole heaven and earth, men and things, establish the Doctrine, but famous images are not honoured.

b. United Sovereign, Parents, Teachers, and Friends establish the religion; it is not inanity.

The following Hebrew lines given by me are, with the exception of a few inscriptions, only probable parallels, or possible sources of the translation of the Chinese text. It is an expression of thought in spirit but not in words, the exceptions being parallels in words also. As Mr. Budd has pointed out, it is difficult to know what was exactly meant.

In presenting this article, I feel justified in giving it the title עקרי הדת לבני ישראל הצינים 'The Principles of Faith of the Chinese Jews', for the reason that in the seventeen parallels which I have endeavoured to give, we have no fewer than ten out of the thirteen Articles of Faith. These ten, I have supplied wherever they occur, between parentheses at the end of each parallel. Some of these inscriptions are repeated, and in two cases as often as four times.

The Articles of Faith used by me are those which we, in the East, recite every day at the conclusion of the morning service, and are to be found in the Prayer Book תפלת החורש of the Eastern Sephardim. They are as follows:

הרי אני מאמין באמונה שלימה בשלש עשרה עיקרים של התורה הקדושה
 (א) שהקב"ה מצוי ומשגיח (ב) והוא אחד (ג) ואין לו גוף ואין לו דמות
 הגוף (ד) ושהוא קדמון לכל קדומים (ה) ואין עבודה לזולתו (ו) ויודע
 מחשבות בני אדם (ז) ונבואת משה רבינו עליו השלום אמת (ח) ושהוא
 אדון לכל הנביאים (ט) ושהתורה נתונה מן השמים (י) ושלם תשתנה
 בשום זמן חס ושלום (יא) ושהקב"ה מעניש לרשעים ומשלם שכר טוב
 לצדיקים (יב) ושיבא מלך המשיח (יג) ושהמתים עתידים להחיות.
 יהי רצון מלפניך ה' אלהינו ואלהי אבותינו שתכופ יצרנו לעבודתך כל
 ימי חיינו תמיד אמן בן יהי רצון:

Although I have not found here Articles 6, 12, and 13 yet, in all probability, there were hangings or tablets recording such beliefs, and they must have disappeared during the ages. From the Jesuits of the eighteenth century we learn that the Chinese Jews believed also in the resurrection of the dead—תחיית המתים.

I hereby express my gratitude to Mr. Reuben Abraham for so kindly presenting me with the precious manuscript and thus being instrumental in its publication.

It is my good fortune to be the first to treat these inscriptions in a Jewish style and to find parallels in our holy literature for those beliefs and sayings of our brethren, the Chinese Jews, which were inscribed upon the tablets that hung on the walls of their ancient synagogue in Kai-fung-foo.

עקרי הדת לבני ישראל הצינים

א'

א'

ושמרת את מצות ה' אלהיך ללכת בדרכיו וליראה אתו (דברים ה' ו'):
 (= ואין עבודה לזולתו):

ודרשו את שלום העיר אשר הגליתי אתכם שמה והתפללו בעדה אל ה'
 וגו' (ירמ' כ"ט ז'):

(Reverence Heaven and pray for blessings on the country.)

ב'

עבדו את ה' ביראה וגו' (תהלים ב' י"א): (= ואין עבודה לזולתו):
(Reverence and fear the Glorious Heaven.)

ג'

ה' בשמים הכין כסאו ומלכותו בכל משלה (תהלים ק"ג י"ט): לך ה'
הגדלה והגבורה והתפארת והנצח וההוד כי כל בשמים ובארץ לך ה'
הממלכה והמתנשא לכל לראש (דברי הימים א'. כ"ט י"א):
(The Glorious Heaven—the Supreme Ruler!)

ד'

שמע ישראל ה' אלהינו ה' אחד (דברים ו' ד'): (= ואין עבודה לזולתו):
(By Heaven's command proclaim (the principles.)

ה'

. . . השכל וידע אותי כי אני ה' וגו' (ירמיו' ט' כ"ג): (= ואין עבודה לזולתו):
(Intelligently serve the Supreme Ruler.)

ו'

. . . מצות ה' ברה מאירת עינים (תהלים י"ט ט'): (= ואין עבודה לזולתו):
(Lord of the Pure and True Religion.)

ז'

לא תעשה לך פסל וכל תמונה וגו' (שמות כ' ד'): (= ואין עבודה לזולתו):
(Images have no part in this Religion.)

ח'

. . . משפטי ה' אמת צדקו יחדו (תהלים י"ט י'): וזהו שאמר המשורר
משפטי ה' אמת צדקו יחדו אמר אמת על שעור העונשים ואמר צדקו יחדו
על עונשי העולם הזה עם טובת העולם הבא או ההפך. (עקרים מאמר א'
פרק ו'): (= שהקב"ה מעניש לרשעים ומשלם שכר טוב לצדיקים):
(The Law of this Religion is Heaven's Truth.)

ט'

לא תעשה לך פסל וכל תמונה וגו': לא תשתחוה להם ולא תעבדם וגו'
(שמות כ'. ד'-ה'):
(Image (worship) is not a part of this Law.)

י'

. . . את האלהים ירא וגו' (קהלת י"ב י"ג):
 . . . והתעלמת מהם (דברים כ"ב א') גדול כבוד הבריות שדוחה את לא
 תעשה יעבדורה (שבת פ"א ע"ב):

(Reverence Heaven and respect men.)

י"א

א' ויברא אלהים את האדם וגו' (בראשית א' כ"ז):
 ויאמר אלהים הנה נתתי לכם את כל עשב זרע זרע אשר על פני כל הארץ
 ואת כל העץ אשר בו פרי עץ זרע זרע לכם יהי לאכלה (בראשית א'
 כ"ט): (= שרקב"ה משניה):

ב' וייער ה' אלהים את האדם עפר מן האדמה ויפת באפיו נשמת חיים וגו'
 (בראשית ב' ז):

ה' קנני ראשית דרכו קדם מפעליו מאז (משלי ח' כ"ב):
 (a. [He] creates and nourishes; [His] Doctrine contains
 all production and sustenance;

b. [He] collected together the breath and settled the
 forms: the Doctrine existed before form and breath.)

י"ב

א' . . . כי מן השמים דברתי עמכם (שמות כ' כ"ב): (= ושהתורה נתונה
 מן השמים):

[שלשה וחמשים פרשיות כוללות את התורה כולה]:
 ויכלו השמים והארץ וכל צבאם (בראשית ב' א'):

ב' והייתם קדשים וגו' (ויקרא י"א מ"ה):
 עשרים ושנים [עם סוף סוף כ"ז] אותיות חקקן חצבן שקלן והמירן צרפן
 וצר בהם נפש כל היצור ונפש כל העתיד לצור (ספר יצירה פרק ב'
 משנה ב'):

ומה שתקנו לומר אלפא ביתא ביוצר של חול ושל שבת להודיע כי לא
 נתקיימו שמים וארץ ותולדותיהם אלא בעבור התורה שנאמר אם לא בריתי
 יומם ולילה חקות שמים וארץ לא ישמתי (ירמ' ל"ג כ"ה). והתורה כלה
 יוצאת מאותיות אלפא ביתא כ"ב אותיות והיו שאמר הכתוב נגילה
 ונשמחה בך (שיר השירים א' ד'). ואומר במדרש חזית א"ר יצחק בך
 ככ"ב אותיות שכתבת בהן את התורה והפוך כ"ב ויהי בך. (אבודרהם
 בסדר תפלות החול): [כ"ב אותיות עם סוף סוף יעלו כ"ז]:

(a. The Source of the Doctrine is from Heaven ; fifty-three chapters contain the complete Doctrine of the production of the heavens, the earth, and men.

b. The foundation of the Religion is in holiness ; twenty-seven characters ($27 = 22$ letters and 5 finals) can transmit the hidden meaning of mind, doctrine, and learning.)

י"ג

א' אתה נמצא. ולא ישיגך שמע אוזן ולא ראות עין. ולא ישלומך בד איך ולמה ואין : אתה נמצא. אבל לעצמך. ואין לאחר עמך : אתה נמצא. ובטרם היות כל זמן היית. ובלי מקום חנית : אתה נמצא. וסודך הנעלם. ומי ישיגנו. עמוק עמוק מי ימצאנו : (כתר מלכות לר' שלמה בן גבירול ז"ל) : (= שהקב"ה מצוי. ושחוא אחד. ואין לו גוף ואין לו דמות הגוף) :

ב' אך העבודה הצפונה היא חובת הלבבות והיא שניחד האל בלבותינו ושנאמין בו ובתורתו ונשקבל יחודו ונראה אותו ונכנע מפניו ונבוש ממנו ונאהב אותו ונבטח בו ונמסור נפשותינו אליו ושנפרוש מאשר ישנא ושניחד מעשינו לשמו ושנתבונן בטובותיו והדומה לזה ממה שיגמר במחשבת הלב הגוף ומצפוננו מבלי איברי הנראים ממנו וכו' (חובת הלבבות לרבינו בחיי ז"ל. הקדמה חלק א') :

(a. Although existing (it) is not in images ; although not (existing) (it) is not lost in vacuity : the Doctrine is still outside the existing and non-existing.

b. Ritual is (derived) from honour given to Heaven ; righteousness is the law of the heart : (but the Source) always existed before ritual and righteousness.)

י"ד

א' . . . כי מן השמים דברתי עמכם (שמות כ' כ"ב) : (= ושהתורה נתונה מן השמים) :

התורה מן השמים והוא שנאמין כי כל התורה הזאת הנתונה על ידי משה רבינו ע"ה שהיא כולה מפי הגבורה כלומר שהגיעה אליו כולה מאת הש"י (עין היסוד השמיני בפירוש המשיניות להרמב"ם ז"ל פרק עשירי דמסכת סנהדרין) :

לא תעשה לך פסל וכל תמונה וגו' (שמות כ' ד') :

ב' תורה צוה לנו משה מירשה קהלת יעקב (דברים ל"ג ד'): (= ונבואת משה רבינו ע"ה אמת: ושהוא ארון לכל הנביאים):
 תורת ה' תמימה וגו' (תהלים י"ט ח'): הדבר השלם הוא אשר לא ידומה עליו תוספת ולא חסרון ואחר שנמצא דויד יתאר תורת השם כשהיא תמימה הנה אי אפשר שיהי' בה שום חסרון להנעת שלמותה ותכליתה (עברים מאמר ג' פרק כ"ג): (= ושהתורה לא תשתנה בשום זמן חס ושלום:)

(a. This Religion was established by Ah-lo; the principles of the Law do not (permit) images;

b. The Scriptures were transmitted by Mēh-shê; the Doctrine is the original and true one.)

ט"ו

א'-ב' הלא ידעת אם לא שמעת אלהי עולם ה' בורא קצות הארץ לא יעף ולא יגע אין חקר לתבונתו (ישעי' מ' כ"ח): (= והוא קדמון לכל קדומים):
 אני מאמין באמונה שלמה שהבורא יתברך שמו הוא בורא ומנהיג לכל הברואים והוא לבדו עשה ועושה ויעשה לכל המעשים: (עקר א' במחזור אשכנזים):

(a. Unceasingly producing; the constant Lord of production;

b. Creating without end; the Lord of creating.)

ט"ז

א' הן לה' אלהיך השמים ושמי השמים הארץ וכל אשר בה (דברים י' י"ד):
 ירא את ה' בני ומלך וגו' (משלי כ"ד כ"א):
 כבד את אביך ואת אמך וגו' (שמות כ' י"ב):
 איש אמו ואביו תיראו (ויקרא י"ט ג') מלמד ששניהם שקולין (כריתות כ"ח ע"א):

מורא רבך כמורא שמים (אבות פרק ד' הלכה י"ב):

ב' הניד לך אדם מה טוב ומה ה' דורש ממך כי אם עשות משפט ואהבת הסד והצנע לכת עם אלהיך (מיכה ו' ח'):
 תחלת חכמה יראת ה' ודעת קדשים בינה (משלי ט' י'):
 תמים תהי' עם ה' אלהיך (דברים י"ח י"ג):

(*a.* Those who recognize Heaven and Earth, the Sovereign, Parents and Teachers, cannot stray far from the correct path of doctrine and virtue.

b. Improvement of moral character is to be found in benevolence, righteousness, propriety, knowledge, and sincerity, which are the sources of virtue and holiness.)

י"ז

א' לך ה' הגדלה והבורה והתפארת והנצה וההוד כי כל בשמים ובארץ לך ה' הממלכה והמתנשא לכל לראש (דברי הימים א'. כ"ט י"א):
 לך ה' הגדולה זו מעשה בראשית (= שהקב"ה מצוי) . . . והגבורה זו יציאת מצרים (= שהקב"ה משגיח) (ברכות נ"ח ע"א):
 ופן תשא עיניך השמימה וראית את השמש ואת הירח ואת הכוכבים כל צבא השמים ונדחת והשתחויה להם ועבדתם וגו' (דברים ד' י"ט):
 ב' ירא את ה' בני ומלך וגו' (משלי כ"ד כ"א):
 כבד את אביך ואת אמך וגו' (שמות כ' י"ב):
 איש אמו ואביו תיראו וגו' (ויקרא י"ט ג') מלמד ששניהם שקולין (כריתות כ"ח ע"א):
 מורא רבך כמורא שמים (אבות פרק ד' הלכה י"ב):
 ואהבת לרעך כמוך וגו' (ויקרא י"ט ח):

(*a.* The whole heaven and earth, men and things, establish the Doctrine, but famous images are not honoured.

b. United Sovereign, Parents, Teachers, and Friends, establish the religion; it is not inanity.)

A HEBREW LETTER TO THE JEWS OF KAI-FUNG-FOO.

While writing about the Kai-fung-foo Jews, it would be of interest to give here a copy of an unpublished Hebrew letter which was addressed to them in 1850.

The document (Codex Sassoon, No. 54) which was kindly given to me by the late Mr. S. M. Moses in 1908, must have come to him through his father who was once

כהנו
 חסד חסד עשרים לחדש השון שנת הריא שנת חמשת אפים ושש
 פוחא ואחר עשר לברואה עולם
 שלח רכא לעיר יש כה ישראל קהל קדוש כיפאוגפו
 אחרשו זאת לחדיע מצר שלומנו כי טוב ונעים ובאתי לרדיע אותכם
 אני יצחק פרג כן ראובן יעקב יצו מעיר בכל ובאת לעיר שגוגהא
 שוח הדי וישכתי כה למשא ומתן ושמעתי יש ישראל בעיר שלם והרבה
 שמחתי לאוח שלומכם ולשלח לכם ניר אגרת לשמוע שמחה וששון
 מעיר שלם ובקשה מכם תשלחו לי תשובה מא שחני הוצה מכם תורעו
 אחתי יש בעיר שלם ספר תורה ומפטרים נובאים ויש עמכם ארבעה
 ועשרים משנה זוהר ואיזה ספרים ילמדו כה רנערים ומיאיזר שכת
 אחם זשבים כבקשה מכם תמחול לי הטרוח להטריח אתכם זה
 השאלה אני מכם תחזיו לי תשובה ותודיע לי עניי ציר שלם ואם
 יש עיר אירת ויש כר ישראל תודיע אותי אם תרצו ממני איזה
 עניין אם פריש נבאים כתובים ואיזה ספרים אני מבטח בשמו
 יחקר מלה משלותכם ואשלח לכם תשובתכם איני ענין שחוש
 ואני ריכר אשמח ללא ירחות כני ישראל מעיר שיכנץ יראות
 כשלומכם אם לא אפרד מטרות הדור ואיני ענינם יצחק פרג ועד
 אחרני כגיהות כריב ישרא לו משחת כמחר כיתני את

יצחק פרג כן
 ראובן יעקב
 מ

ח' א' כ'

סלמא לאל מולא ישראלי
 סלמא לאל מולא ישראלי

FIG. 4. REDUCED FACSIMILE OF CODEx SASSOON NO. 54

trading in partnership with the writer of this letter, Isaac Faraj ben Reuben Jacob. It is written in large square Hebrew characters on one side of a thin, folded sheet of light-blue paper measuring $16\frac{1}{8}$ by $10\frac{1}{4}$ inches. The letter is folded so as to make the second half of the sheet serve as an envelope, and on it is the address as follows:—**יניע השטר** להקדושים לקהל קדוש עיר כי פאנגפו יעור אלוקים—this letter is to the holy people, the holy congregation in the city of Kai-fung-foo; God shall help [her] (Ps. 46. 6). On the back of the addressed page there are two vertical lines in Chinese, of which the following is a translation: 'If you have a letter in reply to this send it to Shang-hai town care of Sassoon Company.'

An interesting reference to a somewhat similar letter written about the same time is to be found in *The Jews at K'ae-fung-foo*, by the Rev. G. Smith (p. viii). It is as follows:—'Three Jewish merchants also, from Bagdad, resident at Shanghae, and connected with the opulent Jewish firm of Sassoon & Co. at Canton, contributed valuable help; one of them having written a letter in Hebrew to their Jewish co-religionists at K'hae-fung-foo, for the purpose of introducing the two Chinese messengers, and inviting the Jews to visit Shanghae.'

It may be remarked that Isaac Faraj's eldest son, Joseph Rahamim died in Shang-hai and was the first Jew to be buried in the cemetery there.

In the name of God shall we do and prosper.

This the 25th day of the month of Heshwan, in the year [5]611—the year five thousand and six hundred and eleven from the creation of the world (= 1850).

Great peace be unto the city wherein there is the holy congregation of Israel, Kai-fung-foo!

After due inquiry about your good health and well-being: this is to inform you that our health is good and pleasant, and I have come to inform you that I am Isaac Faraj the son of Reuben Jacob, may his Creator preserve him and keep him alive, from Babylon (Baghdad), and I came to the city of Shang-hai in the year [5]606 (=1845-6), and I settled there for trading purposes. And I have heard that there are Israelites in your city, and I am very pleased to be cognisant of your welfare, and to send you a letter so as to hear news of joy and happiness from your city, and I beg you to send me a reply to what I ask you. Let me know: is there a scroll of the Law in your city? and do you read the Haftarothe from the Prophets? and do you possess the four and twenty books of the Bible; the Mishna and the Zohar? and in what books do the children learn? and from which tribe are you? I beg you to excuse the trouble I am putting you to, and I request you to answer me, and further to tell me all about your city, and to let me know if there is another city wherein Israelites are to be found. And if you wish to have anything from me, such as Pentateuchs, Prophets, and Hagiographa, and any other books, I have faith in His Name, may He be blessed, that He will fulfil your wishes, and I shall send you an answer, and whatever else you wish for. It would have given me great pleasure to come and visit the children of Israel of your city and to learn of your welfare, had it not been that I were afraid of the fatigue of the journey, and certain other matters, and travelling difficulties. And we are still in exile; may He shortly send us our Messiah, speedily in our time, Amen.

Isaac Faraj ben Reuben Jacob, may his end be good.

THE ESSENES AND THE APOCALYPTIC LITERATURE*

BY K. KOHLER, Hebrew Union College.

AMONG the treasures of Jewish Literature the Apocalyptic writings are least known to the average Jewish scholar, and their value is scarcely appreciated. The reason is that, while the Church has in some hidden corner of the world, where heretic sects continued to exist, preserved the one or the other, so as to enable learned travellers in recent times to bring them to light, the Jewish world let them fall out of sight together with the Apocryphal books, ever since the beginning of the Talmudic period. Accordingly Dr. Schechter in his *Aspects of Rabbinic Theology*, p. 5, dismisses both of them with the following remark: 'Whilst these writings left a lasting impress on Christianity, they contributed, with the exception perhaps of the Book of Ecclesiasticus, little or nothing toward the formation of Rabbinic thought. The Rabbis were either wholly ignorant of their very existence, or stigmatized them as fabulous or external (a milder

* 1. R. H. Charles, *A critical History of the Doctrine of a Future Life in Israel, in Judaism, and in Christianity, or Hebrew, Jewish and Christian Eschatology from Preprophetic times till the close of the New Testament Canon*, 2nd ed., A. and Ch. Black, 1913.

2. R. H. Charles, *The Book of Enoch*, with an Introductory by W. O. S. Oesterley, Society for Promoting Christian Knowledge, London, 1917.

3. F. Crawford Burkitt, *Jewish and Christian Apocalypses*, The Schweich Lectures, 1913, London, 1914.

expression in some cases for heretical),¹ and thus allowed them to exert no permanent influence upon Judaism.' Obviously the eminent master of Rabbinic lore failed to take due cognizance of the extensive eschatological and cosmological passages, of the angelology and demonology, not to speak of the thaumaturgical matter which occupy so large a place in the Talmud and Midrash, and have exerted a decisive influence upon the views and doctrines of the Rabbis throughout all the centuries. All these show a striking family resemblance to the contents of the Apocalyptic literature and point to a common source of tradition, with the only difference that the latter presents the whole material in a coherent and systematized form, whereas the former has it all given sporadically in the form of tradition without order or system and without claiming any higher authority. Nor should the fact be ignored that some of the apocalyptic books appear in fragmentary form under other names in the Gaonic period, as was especially pointed out by Jellinek in his instructive introduction to his *Beth ha-Midrash* volumes. On closer investigation we cannot

¹ Schechter refers to the term ספרים החיצונים (Sanh. X, 1) in R. Akiba's dictum: 'He also (has no share in the world to come) who reads (in public) from the "extraneous" books.' But as is evidenced by דרך החיצונים (Meg. IV, 8; comp. Hag. 15 a זומא מבחוץ 'Ben Zoma is still outside the pale of doctrinal Judaism'), the term denotes heretics, aa Babl. Sanh. 100 b correctly explains it: ספרי המינים. Thus Alfasi still reads, while the Christian censor had it changed into הצדוקים. The text in Jer. Sanh. 28 a is corrupt, as was shown by Joel, *Blicke in d. Religionsgesch.*, I, 70-76, and should read אף הקורא בספרים החיצונים כגון ספרי הרמים (= the Hermes books, not המירוס) וכן ספר בן תגלא וספר בן לענה אבל ספר בן סירא וכל הספרים שנכתבו מכאן ואילך הקורא בהן כקורא באגרת. A later deprecation of Ben Sira (Sanh. 100 b, previously quoted as one of the Kethubim (see Schechter, *JQR.*, III, 682) seems to have caused the corrupt reading in the Talmud Jer. as well as in Koheleth r. to XII, 12.

escape the conclusion that for this class of Haggadic material there existed among the apocalyptists of the Rabbinic schools a chain of tradition in the form of מסר and קבל similar to that which existed for the Halakic, as I have shown in the introductory article 'Cabala' in the *Jewish Encyclopedia* with especial reference to the Book of Jubilees. Of course, the Halakic tradition, being concerned with the practice of the law, bore an altogether democratic character in accord with the Pharisaic spirit and was traced back, as the first Mishnah of Aboth has it, to the last prophets and from there to Moses on Sinai. The apocalyptic lore, on the other hand, was originally esoteric in character and was believed to have come down as secret lore from the progenitors of the human race, from Enoch, Noah, or Adam and Shem (= Malkizedek), the Patriarchs, and also Job. This cosmopolitan view was given up by the Rabbis after the destruction of the first Temple, and the popular heroes of the Babylonian captivity such as Baruch and Ezra took the place of the men of hoary antiquity; and after the destruction of the second Temple and State the great martyrs of the Barkokba war became the bearers of the heavenly mysteries. At all events the belief in secret lore entrusted only to the few initiated was persistently maintained throughout centuries, as is shown by a comparison of Dan. 8. 26; 12. 4, 9; Enoch 82. 1; 43. 10; 104. 12 f., and 4 Ezra 14. 2 b; 47 with Hagigah 2. 1; Meg. 3 a, with reference to the Targum of Jonathan b. Uziel; or with Cant. R. 1. 29, 'the secret chamber of Behemoth and Leviathan called also the chambers of Paradise (*Agaddath Shir ha-Shirim*, ed. Schechter, 13, 99), 'the secrets of the Merkabah and of the Messianic end' (Pes. 56 a; Keth. 111 a; Sanh. 97 b).

Almost all Jewish authors agree that this entire secret lore known as מעשה מרכבה and מעשה בראשית (Hag. 2. 1), the theophany and the cosmogony as well as eschatology, formed the monopoly of the Essenes and their select successors (see Frankel, *Zeitschr.*, 1846, p. 457; *Monatsschr.*, 1853, p. 72; Graetz, *G. J.*, III, 494 f.; Jost, *G. d. Judenth.*, I, 212; Herzfeld, *G. V. Is.*, II, 408; Leopold Loew, *Mafteah*, 67). Ben Sira, III, 20-23, quoted in Hagigah 2. 1, obviously refers to this secret lore. That there exists a close relationship between Essenism and the Apocalyptic books has been especially shown by Jellinek in the introductory notes to his *Beth ha-Midrash*, see II: XIII f., XVIII; III: XX, XXXII, and elsewhere.

Of Christian writers it was Hilgenfeld who in his work *Die jüdische Apokalyptik*, 1857, pp. 243-86, endeavoured to prove the close relations of the Essenes to the Apocalyptic literature, and if he had recognized the real meaning of the name *Essaei* or *Essenes* (the one corresponding to the Hebrew חֲשָׁאִים 'the men of silence', the other to צְנוּעִים 'the discreet ones'), he would have more strongly adhered to this view later on, when he was misled by his critics to the assumption of foreign elements in Essenism on account of Josephus's sensational suggestions. Lucius partly endorsed Hilgenfeld's view in his work *Der Essenismus*, 1881, p. 109 f., and the theory was further elaborated with especial reference to the beginnings of Christianity by an English scholar John E. M. Thomson in an interesting, yet rather antiquated work entitled *Books which influenced our Lord and His Apostles*, Edinburgh, 1891, pp. 12, 110, and elsewhere. That the apocalyptic lore formed the essential elements of nascent Christianity, and especially of the Messianic conception of Jesus, is to-day generally admitted, owing chiefly

to Baldensperger's book, *Das Selbstbewusstsein Jesu*, which has gone through several editions since 1888. All the more strenuously is the connexion of Essenism with the apocalyptic literature denied by many Christian writers of to-day, as is specifically done by Baldensperger. It is quite characteristic, then, that Charles in his work on Hebrew, Jewish, and Christian Eschatology ostensibly avoids the very name of the Essenes, and, instead, speaks of the 'Chasids' of the Maccabean period, 'the forerunners of the Pharisees', as 'the authors of these prophetic or rather deutero-prophetic works', 'the champions of the higher theology in Israel'. In describing their character he uses the following glowing terms (pp. 171-3 of the second edition): 'Though first appearing as the champions of the Law against Hellenizing Sadducees, they were still more the representatives of advanced forms of doctrine on the Messianic Kingdom and the resurrection. To this comparatively small body of men was entrusted for some decades the defence, confirmation, and development of the *religious truths that were to save the world* (the Italics are mine). How nobly and with what prodigal self-sacrifice they proved themselves worthy guardians of this sacred trust is told for all time in the Enoch and Maccabean literature. Through their agency the spiritual aspirations of the Old Testament few became in the course of a century the unshakeable conviction of Palestinian Judaism.' And here the author has in the second edition of the work—which is on the whole a reprint of the first—an entirely new chapter on Prophecy and Apocalyptic (173-206), which is of special interest to the Jewish reader. Here the claim is set forth that the apocalyptic lore 'while built upon the ancient prophecy, was the result of the same psychical experience and

concerned with the same object, the future of life, but it had a larger scope than the latter, it being universal and unlimited as to time, having an infinitely wider view.' 'It sketched in outline the history of the world and of mankind, the origin of evil, its course and inevitable overthrow, the ultimate triumph of righteousness and the final consummation of all things. It was in short a Semitic philosophy of religion, and as such it was ever asking: Whence? Wherefore? Whither? and it put these questions in connexion with the world, the Gentiles, Israel, and the individual. Apocalyptic, and not prophecy, was the first to grasp the great idea that all history alike, human, cosmological, and spiritual, is a unity—a unity following naturally as a corollary of the unity of God, preached by the prophets.' 'Only by reason of the completion of the Biblical Canon, which implied the cessation of prophecy, pseudonymity was resorted to by the writers, which condition,' says our author, 'changed with the rise of Christianity.' Thus in emphatic contradiction to the view of Jewish scholars who 'have denied to apocalyptic its place in the faith of pre-Christian orthodox Judaism'—a view which he declares to be 'absurd' and a 'blunder'—our author claims 'the existence of *two* forms of Pharisaism in pre-Christian Judaism, i.e. the apocalyptic and the legalistic'. The former, he says, 'has given birth to, and shaped the higher theology of Judaism and became, historically speaking, the parent of Christianity'; the latter 'drove the apocalyptic from its position of secondary authority and either banished it absolutely, or relegated it wholly into the background, and so arose Talmudic Judaism'.

Obviously Dr. Charles wanted to offer in this additional

portion of the second edition of his work the keynote and central idea of his whole book, which was to present an exhaustive exposition of the entire development of Jewish eschatology as emanating from the prophetic concept of 'the day of Jahweh' with the view of having it culminate in the appearance of Jesus the Christ as the fulfilment of the prophetic hopes 'made world-wide by the apocalyptic writers'. Now, while there are here and there valuable observations presented in the book, the author makes himself rather guilty of an egregious 'blunder' when he ascribes to 'the older Pharisees', 'the Chasids', 'the spiritual children of the Scribes', the belief in their own power of prophecy, after these very Scribes, or Soferim, had declared (see Psalm 74. 9 and Tos. Sota XIII, 2) that with the death of Haggai, Zechariah, and Malachi, the power of prophecy, or the holy spirit, ceased. As a matter of fact, only the Essenes still believed in the continuous working of the spirit of prophecy, as is learned from Josephus (*B. J.*, II, 8, 12; I, 3, 5; III, 8, 3. *Comp. B. Wisdom VI, 25*). Moreover, if anything may be termed 'absurd', it is to assume that the later Pharisees should have forgotten the very existence of the books rated so highly by the former, particularly when we consider that these apocalyptic writings appeared at the time when the schools of Hillel and Shammai 'the fathers' of Talmudic lore, the contemporaries of King Herod, and that of Johanan ben Zakkai at the close of the Temple period flourished. Surely the most superficial glance at the history of Jewish literature of the time would have convinced our author of his erroneous construction of Judaism, and shown him that what he calls legalistic Judaism, that is, the Halakah, had its counterpart in the Haggadah which contains the free and popular discussion of the same

human, cosmological, and eschatological problems that form the substance of the apocalyptic literature, and offer the same wide outlook upon the world. Indeed, we find here occasionally—compare, for instance, Hagigah 14 b, Suk. 28 a—the same psychical experiences, ecstatic visions and auditions of Pharisean leaders as the apocalyptists had. Only authoritative power was denied in the schools to such mystic forces (see *B. M.*, 59 b. : No regard is to be given to the heavenly voice, for it is said: ‘It is not in heaven’, Deut. 30. 12). As a matter of fact, Pharisaic or Soferic Judaism in placing the book of Daniel among the Hagio-grapha, denied from the very start its prophetic character, and consequently could not ascribe to the books of Enoch and similar writings based on the visions of Daniel any kind of prophetic or ‘deutero-prophetic’ character. Thus the whole theory of Dr. Charles falls to the ground.

F. Crawford Burkitt in his luminous lectures on Jewish and Christian apocalypses approaches the subject with more fairness. The following fine remarks, pp. 5–6, are worth quoting: ‘The wise men of Israel who came after Ezra had the Law already, but it was they who brought the prophets into the form in which we read them, and the Psalms, whatever ancient fragments they may probably contain, were in the main their work. To the prophets it had been given to make the Religion of Israel, but the Scribes made the Bible. It is difficult, when we think of the immense effect that the Old Testament has had, to find words high enough to describe the importance of the work of the Scribes for after generations. And yet it was secondary and derivative. The Scribes had not in themselves the direct and masterful authority that belonged to the Prophets who went before them. They were not commissioned

themselves to say: "Thus saith the Lord". And so, when the crisis came, we find a new phenomenon. The Jew who feels himself to have a new message for his brethren shelters himself under a pseudonym. The original literature of the two centuries and a half that preceded the capture of Jerusalem is either anonymous, or it professes to be the work of some "worthy of old time". It is difficult to know in particular cases how far the pseudonymity was an understood literary artifice and how far it was really deceptive. What I think is clear, is that both authors and readers believed that, if any Revelation from God was true, it could not be new. It must have been given to the great Saints of antiquity.' Especial stress is laid, p. 7, and rightly so, on the fact that 'in Daniel there is a philosophy of universal History'; 'there is something cosmopolitan about his outlook upon the world'. 'Judaism is to the author of Daniel a cosmic world-religion.' 'The Kingdom of God—that is the central idea.' But then, claiming that with Christianity the new age predicted by Daniel (and the other apocalyptists) had come, Dr. Burkitt discriminates in favour of the New Testament Apocalypse ascribed to John the Divine, the writer of the letter to the seven Churches of Asia, claiming that he comes with 'a new message given to the contemporary seer' and no longer pseudonymic. This is an uncritical attitude. The apocalyptic portion there as well as those in Matthew 24 to 25 were simply taken over from Jewish sources. Another erroneous statement is made by Burkitt when he differentiates between the time before and after the capture of Jerusalem, ascribing 'the renunciation of the apocalyptic idea' to Johanan ben Zakkai and his school (p. 12). He finds this in a very sagacious interpretation of the controversy between R. Akiba and Johanan ben

Zakkai in Gen. R. 44. 25,² where R. Akiba, in explaining the words **ביום ההוא** in Gen. 15. 18 after Isa. 25. 9, says, God revealed to Abraham both this world and the world to come, whereas R. Johanan ben Zakkai referring to Zech. 14. 9, says, only this world was revealed to Abraham. R. Akiba as the ardent adherent of Bar Kokba worked, he thinks, in the spirit of the Apocalyptists, for the immediate establishment of the Kingdom of God by the expected Messiah, while Johanan ben Zakkai was, 'when the destruction of Jerusalem was sealed, to guide Jewish thought and religion into new channels, and thus to create the reformed Judaism of Jamnia and Tiberias'. Dr. Burkitt certainly tries to be just in his estimate of Pharisaism when he says (p. 15): 'The work of Johanan ben Zakkai and his successors was quietly heroic, and they succeeded so well in their reorganization of Judaism that their work stands to this day. But . . . they were able to carry their work through, just because they had dropped the conviction that had produced the apocalypses. That is the reason why these documents, speaking generally, were preserved in Greek, and not in Hebrew; by Christians and not by Jews.' He forgets, however, that the Ezra and Baruch Apocalypses emanated, as has been shown by F. Rosenthal (*Vier apokalyptische Bücher aus der Zeit und Schule R. Akiba's*, 1885), from these very schools before the Hadrianic war. The concluding words of his first lecture are also dictated by a spirit of fairness when he says: 'The nation left two

² The passage reads: **ר' יודן: ריב"ז ור"ע חד אמר העה"ז גלה לו אבל** **הע"הב לא גלה לו, ואחרנא אמר אחד הע"הו והע"הב גלה לו**; comp. also Midrash Lekah Tob. Akiba's longing after the Messianic time finds its characteristic expression in his declaration of the Song of Songs as 'the most holy of all the Writings' (Yadayim, III, 5).

successors, the Christian Church and the Rabbinical School, each of which carried on some national aim. And of the two it was the Christian Church that was most faithful to the ideas enshrined in the Apocalypses, and it did consider itself, not without some reason, the fulfilment of those ideas. . . . The new age which they announce proved when it came to be different from what the Apocalyptists taught, not only of the great movement which they heralded, but also of the unconquerable hope in the future to which they testify.' On the whole Dr. Burkitt casts no more light upon the authorship and the sources of the Apocalyptic literature than does Dr. Charles.

Oesterly, in his *Introduction to the Book of Enoch*, pp. viii-xi, goes much deeper into the motive and inner working of the Apocalyptic writers, pointing chiefly to the supernatural which plays a great part in the whole literature which deals so much with other-worldly forces. He correctly describes them as world-fleeing visionaries 'who received their message in some fantastic guise', unlike the large class of Pharisees. Especially striking is the emphasis laid by him on their 'rigid predestinarianism'; their absolute conviction that the whole course of the world was predetermined by God Almighty before all time. 'This', he writes, 'was a fundamental postulate of the Apocalypticists who devoted much of their energy to calculations based upon the close study of prophecy as to the exact period when history should reach its consummation.' 'But all these things were divine secrets hidden from the beginning of the world, but revealed to God-fearing men to whom was accorded the faculty of peering at the hidden things of God; upon these men was laid the privilege and the duty of revealing the divine secrets of others, hence their name, revealers.'

But Oesterly fails to see that this is exactly what Josephus says of the Essenes (*Ant.*, XIII, 5, 9; comp. XVIII, 1, 3-5). While the Pharisees hold that certain things are predetermined by destiny and certain things by human power, the Essenes 'declare destiny to govern all things and that nothing happens but is so decreed (by divine Providence)'. This is not, as Bousset (*Relig. des Jud.*,² 533) says, a 'fatalistic view altogether foreign to the legalistic spirit of Judaism'. To a certain extent Pharisaism also voiced the doctrine of predestination in such sentences as 'No bird is caught in the snare without heaven's decree' (Gen. r. LXXIX, 6; comp. Matt. 10. 29), or 'No one bruises his finger here below, but it has been decreed in the world above' (Hul. 7 b). Only Pharisaism would not allow an interference with man's freedom, as stated by Akiba הכל צפוי והרשות נתונה (Aboth III, 19). It denied any one living after the three last prophets the power to foresee and foretell the future (Tos. Sota XIII, 2; Sota 48 b; Yoma 9 b), whereas the Essenes claimed to possess such power, 'being trained', as Josephus states (*B. J.*, II, 8, 12) 'to use holy books, different modes of sanctification and prophetic utterances (for this purpose), and it is but seldom that they miss in their predictions'. Instances of this are given by Josephus in the case of the Essene Judas under the reign of Aristobulus I, who had 'disciples instructed at the Temple in the art of prophesying' (*B. J.*, I, 3, 5; *Ant.*, XIII, 11, 2), or of Menahem the Essene, a contemporary of King Herod (*Ant.*, XV, 10, 5), the predecessor of Shammai as head of the school (Hagiga, II, 2; comp. Graetz, *G. J.*, III⁴, 213, and Geiger, *J. Z.*, VII, 17 b). The real character of such prophetic power is best illustrated by what the Haggadists tell of Adam as the

first man who emanated from the hands of the Creator: he read from God's book in which all things are written, all the events of the future (see Midrash Teh. to Ps. 139. 16; Ab. d. R. N. XXXI, Pesik. R. XXIII; Sanh. 38 b; Tanh., Beresch., ed. Buber, 29). There is also a significant remark in the Midrash (Gen. r. XLIX, 8): 'Before God revealed His counsel to the prophets' (Amos 3. 7), He revealed it to His worshippers of hoary antiquity (Ps. 25. 14), and afterwards to the patriarchs, the upright ones' (Prov. 3. 32). Exactly this is claimed in the Apocalyptic literature for Adam, Enoch, Noah, and again for the patriarchs and Moses down to Ezra. As Volz in his *Jüd. Eschatologie von Daniel bis Akiba*, 1903, p. 5, correctly says: 'Apocalyptic is secret lore ("Geheimwissenschaft") received from heaven and kept in books hidden by the wise' who keep the secrets (Dan. 12. 4, 9; 4 Ezra 12. 37 f.; 14. 6-7; 45-47; comp. Aeth. Enoch 109. 12-13; 17. 3; Slav. Enoch 24. 3; B. Jubilees, 7. 38; 12. 27; 45. 16, see Charles, who regards the book as an Esoteric Tradition (Introd. L; so is Assumptio Mosis named also *Secreta Moysi*, Charles, Introd. xlv). But so were the Essenes keepers of secret lore, a 'mysterienverein', as Bousset, *l. c.*, 532, calls them, pledged 'by a fearful oath' to guard the sacred books of the order and not divulge or alter their contents (Josephus, *B. I.* II, 8, 7). And the contents of these 'writings of the ancients' (τῶν παλαιῶν συντάγματα (II, 8, 6; comp. Philo using the same terms regarding the Therapeutae, II, 475), that is the books ascribed to the men of hoary antiquity, are by no means of merely a magical character, as Bousset, *l. c.*, thinks, but especially the cosmological or cosmogonic and the celestial mysteries known in Rabbinical literature as מעשה מרכבה ומעשה בראשית (Hagig. II, 1), and chiefly so the eschatological

secrets. According to later Rabbinical views, however, these were either withheld from every mortal (Shab. 138 b; Pes. 56 a; Mid. Lekah Tob. to Deut. 29. 28), or all these calculations concerning the 'end' were deprecated and declared to be deceptive (Sanh. 97 a, b, 99 a; Meg. 12 a; comp. Cant. 1. 2. 18-19). Yet it is exactly upon such calculations from prophetic utterances (Dan. 9. 2) after certain world periods and jubilees that the apocalyptists based their predictions. Whether these world periods were taken over from Babylonia or from Persia, it was certainly only in these esoteric circles that calculations concerning 'the end' (Dan. 11. 31, 35; 12. 9, 13) were made.

But it is noteworthy that G. Behrmann in the Introduction to his very valuable Commentary to Daniel, 25-26, comes to the conclusion that the book was written *within* and *for* the esoteric circle of the Hasidim who were admonished to await patiently the divine help without any human interference (Dan. 8. 25; comp. 2. 34). This is exactly what Josephus (*Ant.*, XVIII, 15) says of the Essenes, that 'their chief doctrine is that all things should be left to God'. These Asideans of the Maccabean books kept apart from the Pharisees, as Wellhausen, *Pharisäer u. Sadducäer*, p. 79 f., has shown. Yet these are the very ones from whom the Essenes emanated, and 'the whole literature of the Essene order' to which Josephus refers is none other than the Apocalyptic literature.

In order that the holy spirit of wisdom should come over them and prepare them for divine revelations or visions, Daniel (9. 3 f.; 10. 12) and Ezra (4 Ezra 5. 13 ff.; 9. 23 f.) spend days in fasting and prayer, and for the same purpose the Essenes abstained from all sexual intercourse (Josephus, *B. I.* II, 8, 2), exactly as the people of Israel in

preparation for the Sinai revelation were told 'not to come near a woman' (Exod. 19. 15), and when afterwards they were told 'to return to their tents', Moses was to remain with God 'to receive the Law' (Deut. 5. 27-28), this being understood to refer to abstinence from conjugal life enjoined upon Moses (see Targ. Jer. to the passage; Ab. d. R. Nathan II; Shab. 87 a; Philo, *Vita Mosis*, III, 2). Accordingly the Midrash (Sifre Num. 99) tells that, when Eldad and Medad had become prophets, Ziporah, the wife of Moses, exclaimed: 'Woe to the wives of these men!' inasmuch as they were no longer to have intercourse with their husbands (comp. Enoch's state of virginity when having his visions (Enoch 83. 2; 85. 3; and Apoc. of John 14. 4). Such a state of sanctification was deemed necessary by the Essenes for the receiving of the spirit of prophecy and the invocation of the Name of God for the performance of their miraculous cures, but must not be taken as the acceptance of the monastic principle of celibacy, or as mere misogyny, as Philo II, 638 and Josephus, *l.c.*, want to make the reader believe. In fact, Philo expressly tells us (II, 632) that the members of the order were 'all full grown men and already verging upon old age, such as are no longer carried away by the vehemence of the flesh nor under the influence of their passions, but in the enjoyment of genuine and true liberty'. Also later on, when speaking of those who have reached a feeble old age, he uses the significant words: 'they spend their life in happiness, even if they happen to be childless.' More explicitly he says of the Therapeutae, the Egyptian branch of the Essenes (II, 474), 'Abandoning their property . . . they flee, without turning back, leaving their brethren, their children, their wives, their parents, their numerous families, their affectionate friends, their

native lands in which they have been born and brought up.' And this world-flight he frequently extols as the means of obtaining a holier state of the soul when referring to Enoch (II, 410), to the Levites (I, 238, 559), or to himself (I, 81), and those who are to receive the mysteries of Moses and of Jeremiah, 'the prophet and hierophant' (II, 147-8).

This strange world-flight of the Essenes who had settled apart from all Palestinian civilization in the fertile palm region of En Gedi near the Dead Sea, became a particular object of wonder to the non-Jewish world which was especially interested in the asphaltum and the apobalsamum derived from the neighbourhood. Hence spread such fantastic descriptions as are given by Pliny (*N. H.* V, 15), Dio Chrysostomus (Synesias Dio Chr. IV-V), and others after an older common non-Jewish source (see Lucius, *Der Essenismus*, 32), according to which this Essene colony, isolated from the rest of the Jews and recruited ever anew by newcomers eager to live like them in a state of celibacy, remote from the world, had its existence there from a remote antiquity 'since thousands of centuries', 'a perennial nation' as Pliny says, or 'a blissfull commonwealth', as Dio Chrysostomus puts it. Puzzling as is the fact that no reminiscence of this undoubtedly ancient colony of Essenes at En Gedi is found in Talmudic literature, while the locality famous for its costly apobalsamum (Shab. 28 a) was well known to the rabbis, we must take notice of a remarkable Jewish tradition clustering around 'the fertile land of Jericho' which seems to cast some light upon the record in Pliny. It is the oft-repeated Midrashic story concerning the sons of Jonadab, the Rechabites of the Kenite tribe, kinsmen of Jethro, the father-in-law of Moses (Mek. Yithro 2, p. 62; Sifre Num. 78. 81 and Deut. 352;

Ab. d. R. N., XXXV, ed. Schechter, 105; Yalk. Judges 1. 16; Sota 11a; Tem. 16a), according to which Joshua at the division of the Holy Land assigned the fertile portion of Jericho 'the city of the palms' to the sons of Jonadab the Rechabite, who occupied it until the Temple of Solomon was built in the territory of the tribe of Benjamin. Then they generously left it to the Benjamites and went to the plain of Arod in the South-land to become saintly devotees of the Law under the leadership of Jabez, the saintly one, who, according to the rabbis, was none else but the Judge Othniel the son of Kenaz. Of course, this haggadic legend, based upon the narratives in Judges 1. 16; 2 Kings 10. 15-23; Jer. 35. 2-19; 1 Chron. 2. 55 and 4. 9-12 (where the LXX and Targ. preserved the original רכב for רכה), has no historical value in the form in which it is presented; nevertheless it rests upon certain facts which are merely antedated. Certain it is that the sons of Jonadab the Rechabite occupied a distinct place among the patrician families of Judea during the second Temple, where they had a special day appointed for the offering of kindling wood for the altar (Taan. 4. 5); they are identified with 'the families of scribes', the inhabitants of Jabez. In identifying the Essenes 'Jessaioi' with the sons of Jonadab the Rechabite, Nilus, the Mount Sinai monk of the fifth century, quoted by Hilgenfeld (*Ketzergesch.*, p. 138 f.) obviously followed Jewish traditions such as we find in Pesik. r. 31, where they are spoken of as living 'in the land of Sinim' (Isa. 49. 12) in the South, according to the Targum, to be brought back with the ten lost tribes and especially the sons of Moses (Num. r. 16. 15; Yer. Sanh. 10. 29c; Ber. 7a; Targ. Y. to Exod. 34. 10). They are probably the Elders of the South, זקני הַנֶּגֶב, who are said

to have answered the ten questions propounded to them by Alexander the Great (Tamid 31 b-32 a, b); comp. Frankel, *Zeitschr.*, 1846, p. 400). One of these 'sons of the water drinker', בני שוֹתֵה מַיִם, as they are called, is especially recorded (Mek., *l.c.*) as having offered a sacrifice at the temple to call forth a special 'voice of heaven' in their praise, since, living outside of the holy land, they would as a rule offer no sacrifices. Before they moved to the South, where they left traces partly legendary, partly historical, until modern times,³ they seem to have merged with the

³ While Hegesippus (Eusebius, *H. Ch.* II, 23, 17) tells of 'a Rechabite priest' to have championed the cause of James the Elder at his martyrdom, and Jose ben Halafta claims to have descended from Jonadab ben Rekhab (Yer. Taan. IV, 68 a), we find in Benjamin of Tudela's travels, p. 70, a description of the Bne Rekhab as a warlike tribe inhabiting the province of Thema in South Arabia, and bent in common with their Arabian neighbours on predatory expeditions, Abraham Yagel's *Yaar ha-Lebanon*, quoted by Neubauer, *JQR.*, I, 411-13, refers to the Rechabites together with the Ten Tribes and the children of Moses, all living beyond the river Sambation; likewise Jacob Saphir in his *Eben Saphir*, I, 96, and Joseph Schwarz in his *Holy Land* (Germ. Transl., p. 107), who mention them by the name given them by the Arabs, of *Yehud Hebr*, that is descendants of Heber the Kenite (Judges 4. 11). So does a Jewish tribe found by the Missionary Wolf, quoted by Andree, *Zur Volkskunde der Juden*, p. 226 f., in the mountains near Hedjaz, observing the Mosaic law, claim to be descendants of Jethro (comp. Num. 10. 28; Judges 4. 11). Of especial significance is also the story of Zosimus, a Christian apocryphon of the fifth or sixth century (see James, *Apocrypha Anecdota*, Cambridge, 1893, p. 94 f., 101-3), containing a description of the life of the sons of Jonadab the Rechabite which has a decided Essene character. 'They abstain from sexual intercourse after they have brought to life two children.'

The identification of Jabez with Othniel the son of Kenaz is found also in the patristic literature where Kenaz is said to have been 'a prophet who lived in the land of Saar (?) and was buried in the cave of the Kenazite who was a Judge in the days of Anarchy' (comp. Judges 21. 25). The prophecy of Kenaz has been the subject of an apocryphon regarded by James (*l.c.*, 476-79) as originally Jewish. Both Jonadab and Jabez are counted among the persons who, like Enoch and Elijah, entered Paradise

Essene colony at En Gedi, and given it a peculiar character. So they regarded, next to the name of God that of Moses the legislator as inviolably sacred (Josephus, *B. I.* II, 8, 9).⁴ This Essene colony at En Gedi seems to have some historical connexion with the assembly of the Elders or the Wise Men near Beth Gedi in Jericho, who heard a heavenly voice (Bath Kol), declaring one in their midst to have been worthy of receiving the holy spirit—the person referred to being understood to have been Hillel (Tos. Sota XIII, 3; Yer. Sota IX, 24 b; Horayoth III, 48 c; Sanh. 11 a). Still it is rather difficult to make this more than merely conjectural, as the text varies in the various sources.

To come back to the main point, the whole complexion of the apocalyptic literature points to circles remote from

alive (Derek Erez Suta I. ed. Tawrogi, p. 8). Jabez as contemporary of Jeremiah is mentioned in Syr. Apoc. Baruch 5. 5.

⁴ Joseph Schwarz (*l. c.*, 290-3), while finding Essene traditions preserved in the Zohar, calls attention to Zohar III, 83, where the highest attributes are assigned to Moses as King, the verse Deut. 33. 5 וַיְהִי בִישׁוּרוֹן מֶלֶךְ being, in connexion with the preceding verse, referred to Moses: 'And he (Moses) became king in Jeshurun'—an interpretation found also in the Targ. Y. and the Lekah Tob, but not accepted in Sifre or elsewhere. That the name of Moses was invoked in an oath in Palestine is shown by its frequent use by R. Haggai (Yer. Demay, IV, 26 a; Yoma, I, 38 c; Meg. I, 72 a; Taan. IV, 67 b; Nazir 54 a; Sanh. II, 19 d; Hor. III, 47 d), and the former Palestinian R. Safrā (Shab. 101 b; Beza, 38 b; Sak. 39 a; Hult, 93 a), and the custom was kept up in Yemen in Maimonides' time (Sefer Hamizwoth, I, 7). This may have led the Essenes, as far as they claimed special relationship to Moses either as Rechabites (Kenites) or as Sons of Moses, (which may have originally simply signified, 'disciples of Moses'), to punish any abuse of the name of Moses with death. Of this great veneration of Moses, which comes near an apotheosis, traces are found in the Assumptio Mosis which presents him as a Mediator prepared from the foundation of the world (comp. מְסִיחָא in Pes. r. 6; Exod. r. 3. 6; 6. 3; Deut. r. III. 13; I, 14; III, 12; comp. 11 16).

the seat of Pharisaic or Soferic Judaism, to a class of men, who, living rather on the borderland of Judaea, were brought more in touch with popular traditions and foreign currents of thought, such as Babylonian and Persian systems offered, and were therefore induced to create altogether new systems of thought. Especially the books of Enoch, which were of determining influence upon the rest, betray a familiarity with the geographical conditions of the land around the Dead Sea and along the Jordan river, which indicates the dwelling-place of their authors to have been in that neighbourhood rather than in any of the cities of Judaea. Thus the hot springs of Calliorrhoe to the East of the Dead Sea to which King Herod resorted to for his cure (Josephus, *B. I.* I, 33, 5), or of Machaerus (*eodem*, VII, 6, 3) are spoken of as having been brought to that state by the subterranean fires of Gehenna (Enoch 67. 5-11)—a view re-echoed also in the Talmud (Shab. 39 a). Still more clearly does the story of the fallen angels, who had their meeting-place upon Mount Hermon and whom Enoch found weeping at Abel Maim near the waters of Dan (Enoch 13. 7-9; comp. 2 Chron. 16. 4; 2 Sam. 20. 14 f.) betray a familiarity with the ancient folklore clustering around the sources of the Jordan and scarcely to be found in the schools of the Scribes. As a matter of fact, the whole story of Enoch and the fallen angels appears to be a survival of ancient Semitic mythology of which the verses in Gen. 6. 1-4 form but a fragment. Especially Mount Hermon, the top of Lebanon and Anti-Lebanon mountains, seems to have been originally 'the sacred seat of the old pagan deities', as the term *חרמון* indicates, and later on turned into a sort of Semitic 'Blocksberg' (Sepp, *Jerusalem u. d. Heilige Land*, II, 324).⁵

⁵ The story of the fallen angels, the *נפילים* (comp. Pirk. d. R. E. XXII,

What is true of the books of Enoch, is no less true of the Book of Jubilees, where the story of Enoch and the fallen angels is likewise related, though only briefly; and also of the Testaments of the Twelve Patriarchs where the heavenly tablets of Enoch are constantly referred to as in the Book of Jubilees.

But there is another important point to be considered in connexion with the apocalyptic lore, and that is the strange solar system of a year of 364 days presented by the Ethiopic book of Enoch (chaps. 72-82), and in a more elaborate form in the Book of Jubilees (6. 28-38), which is in direct contradiction to Jewish tradition, which adhered to the lunar calendar of the Scripture.

As a matter of fact, this could only be offered by such as formed an opposition to the authority of the Scribes. As was suggested by Abraham Eppstein, quoted by Charles,

(שנפלו מן השמים) with their two rebel chiefs Azazel, עזאזל (comp. Brandt, *D. Mand. Rel.* 198 and Norberg's *Onomasticon*) and Semiaza, שמחזאי (the full name שמאי אחזאי 'the seizer or assailant of heaven' like Etanim or Titans); see Sayce, *Babylonian Literature*, p. 32, and comp. Angra Mainyu in Bundahish, III, 26, Stave, *Parsismus im Judenth.*, p. 176, note) is found also and with characteristic additions in Mid. Abkir, see Yalk. Bereshith, 44, Jellinek, *B. H.*, IV, 127 f. There Shamahazai in punishment of his seduction of the daughters of men and his instruction of them in the magic use of the ineffable Name is cast down to be henceforth *suspended* between heaven and earth. Both the Biblical story of the sexual union of the sons of God and the daughters of men and of Enoch's supreme station among the angels, ויתהלך חנוך את אלהים, was given a different interpretation by the rabbis (Exod. r. 25. 1; comp. also Bezold, *Die Schatzhöhle*, 14 ff. and the Ethiopic *Book of Adam and Eve*, transl. by Malan, chaps. xxx. ff., p. 137 f.). Enoch was degraded in the estimate of the rabbis, and later on also of the Church fathers, whereas the mystics and Cabbalists retained the views of the apocalyptists and created the celestial figure Henoch-Metatron, that is the heavenly charioteer of the Merkabah such as Mithras in the Persian mythology was (see besides Kohut, *Angelolog.*, p. 36 f., and Aruk, Windischmann, *Zoroastr. Stud.*, 309 ff., and *J. E.*, VIII, 500, art. 'Merkabah').

B. Jubilees, p. 55, note, the underlying idea seems to have been to build up a chronology based on the heptade of months, years, and Jubilees. Yet this again points to the Persian idea of the seven millennia referred to also in other apocalyptic books such as the Slav. Enoch, 33. 1, the Book of Adam and Eve, p. 42, and the Assumptio Mosis X, 12 (where the text has been tampered with by Christian copyists), and echoed also in the Talmud (Sanh. 97 a ; comp. Midr. Teh. Ps. 90. 17). Such calculations are alluded to also in Syr. Apoc. Baruch LVI, 2. This entire eschatological and cosmological system, with its angelology and demonology, is the product, not of the Scribes or of the Pharisaic schools, but of a special class of men who kept in touch with Persian and cognate lore and shaped an esoteric Jewish lore in adaptation of the views and methods prevalent in the same. Only in such secluded circles such as the Essenes were, not confined to the land of Judaea and rather eager to enlarge their theological system by borrowing from other religious doctrines and practices, or mysteries, could the apocalyptic lore with its hosts of angels and demons and its peculiar concepts of heaven and hell emanate, so as to remain more or less the monopoly of the few, also the mystics of the Talmudic and Gaonic period. The eschatological lore is characteristically called, 'the mysteries of God' which were not to be divulged (Tanḥ. Wayehi, 9 ed. Buber, comp. Midr. Teh. Ps. 119. 38). But especially instructive are the words in Midr. Tanḥ. Waera 4, which contains a reminiscence of these apocalyptic writers in the following words: 'The tribe of Levi was free for study (לְטַרְגִּיָּא, the Greek θεωρία = 'contemplation'), and so Pharaoh said to Moses and Aaron: "You only make the work hard to the men to which they should apply, instead of listening

to the vain words contained in the scrolls which are offered to them from Sabbath to Sabbath to comfort them by the message of the coming divine redemption” (comp. Apoc. Baruch 86. 1 and 77. 12).

It is easy to see why these apocalyptic writings were rejected by the Pharisaic schools, while a large part of their contents was appropriated by them. Already Ben Sira III, 19–24 says that secret lore is only for the humble, but warns against intruding into the hidden things which are beyond men, as it leads them astray. So does the Mishnah Hag. II, 1 most emphatically deprecate such prying into what is above and beneath, or what was before and will be thereafter, and it directly forbids such teaching in public, that is to more than one or two worthy disciples, of the theophanic and cosmogonic lore; and the Amoraim (Babli Hag. 13 a; Yer. Hag. 77 c) refer directly to this passage in Ben Sira as the source. In regard to the eschatological mystery the Midr. (Tanḥ. Wayeḥi 9) refers to the verse in Proverbs 25. 2: ‘It is the glory of God to conceal a thing’, to which also the Mishnah in Hagigah seems to allude.

Over against the whole attitude of the Essenes who believed in resorting to supernatural interference through miracles and invocations, the Pharisean leaders based themselves upon the Scriptural words: ‘It is not in heaven’ (Deut. 30. 12) (see B. M. 59 b), their purpose being to bring religion within the domain of human life. For the same reason they discouraged all apocalyptic predictions based upon the pre-deterministic view of the Essenes as hampering men’s freedom of action and self-reliance. Moreover, while Essenism and the Apocalyptists were chiefly concerned with the Messianic Kingdom and the world to come, taking the pessimistic view such as is expressed in 4 Ezra 7. 3:

‘Many are created, but few are saved’—which has its parallel in the Testament of Abraham (11, and Matt. 22. 14), and also in the opinion voiced by the Shammaites against the Hillelites: טוב לאדם שלא נברא משנברא ‘It were better for man had he not been created than to be created (Erubin 13 b)—the predominant view of the rabbis is optimistic. As it is expressed by Nahum of Gimzo, ‘All is for the best’, and likewise by Akiba (Taan. 21 a; Ber. 60 a; comp. R. Jacob in Aboth 4. 22). The whole point of view of the Essenes and the Apocalyptists is like that of the New Testament other-worldly, whereas that of the Pharisees was rather this-worldly, as may be learned from the saying of R. Meir ‘Even death is “Good” (Gen. 1. 9. 5; comp. 18-13), and Hillel’s view (Lev. 1. 34. 3) that the human body should be honoured as the dwelling-place of the Divine Spirit. Pharisaism aimed at making of the Law a religious democracy, following the maxim: ‘The secret things belong unto the Lord our God, but the things that are revealed belong unto us and to our children’ (Deut. 29, 28). Essenism with its world-contempt and secret lore, as voiced in the Apocalyptic literature, could only appeal to the few. It was a preparation for the Kingdom of God; hence the Essene and the New Testament morals were ‘to exceed the righteousness of the Scribes and the Pharisees’ (Matt. 5. 20) such as found expression in the latter part of Enoch (99 to 108), which is also the source of the Beatitudes and Woes of the New Testament (Matt. 5 and 23, and Luke 6).

THE NAME OF THE MEKILTA¹

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THE name 'Mekilta' or 'Mekilta de-Rabbi Ishmael' by which the Halakic or Tannaitic Midrash to Exodus is designated, has been the subject of considerable discussion among Jewish scholars. Many valuable suggestions have been made, many good ideas have been offered, but so far no satisfactory theory has been advanced which would explain, convincingly and satisfactorily, the origin and the meaning of this name, and why it was applied as a special designation to this Midrash in particular. This, to my mind, is due mostly to the fact that the scholars who discussed this question accepted as established facts certain ideas for which, in reality, there was no foundation at all. The result of such an acceptance of wrong and unfounded premises by these scholars was that they reached wrong conclusions, and failed to find the correct answer to the question. Some of them reason in a circle. They take for granted what they set out to prove, and then proceed to prove it on the basis of what they have taken for granted and assumed as facts. Others, again, while having correct

¹ The plan of the Jewish Classics for which series I am preparing a new critical edition of the Mekilta provides but limited space for Introductions. I am, therefore, publishing here part of what should be an introduction to my new edition of the Mekilta. The next article will deal with the arrangement and the divisions of the Mekilta.

The views as to the meaning of the name Mekilta, expressed by me in the *Jewish Encyclopedia*, vol. VIII, p. 444 f., are hereby abandoned.

ideas and good suggestions, failed to follow up their correct ideas or good suggestions by further research, and a thorough investigation of the question, all because they could not or would not rid themselves of certain pre-conceived notions as to the meaning of the name, 'Mekilta'. I say this, not in mere criticism of the scholars whose answers to our question are unsatisfactory, but by way of an apology for the rather lengthy and detailed discussion which I am about to give to this subject.

The best method to follow in the attempt to solve our problem seems to me to be the one of dividing the problem into its different parts, and treating each part separately. Accordingly, we must seek to answer the following three questions:

First: When did the name 'Mekilta' first come into use, i. e. when and by whom was it applied as a special designation for our Midrash in particular?

Second: What is the exact meaning of this term, and in what sense was it used at the time when it was applied as a special name to our Midrash?

Third: Does our Midrash possess any characteristic feature, distinguishing it from other Midrashim of its class, so as to justify its having a special name, and is this characteristic feature indicated by or expressed in this special designation? In other words, does the designation Mekilta especially fit our Midrash to Exodus?

As to the first question, when and by whom this name was given to our Midrash in particular, Z. Frankel has stated correctly, that the designation Mekilta was not given to our Midrash by R. Ishmael to whom our Midrash is ascribed (*Monatsschrift*, 1853, p. 392). I believe we can go further, and state with all certainty that the name

Mekilta was not given to our Midrash by its Redactor, whoever he was. The name Mekilta was given to our Midrash by others, and at a much later time than its redaction, to describe or characterize by this designation some peculiarity of this Midrash. The approximate time when this designation was applied to our Midrash can be fixed by ascertaining the period of time during which our Midrash was not known under this special name, or was even called by another name.

The Talmud does not know our Midrash by the name of Mekilta. The term Mekilta in the passage of p. Abodah Zarah IV, 8 (44 b) does not refer to our Midrash as Weiss (*Introduction to the Mekilta*, p. xviii) would have it (see below, and comp. Friedmann, *Introduction to the Mekilta*, p. xxxi). Nor can we consider seriously the other suggestion made by Weiss (*ibidem*), to correct the text in all those talmudic passages where, beside ספרי and ספרא, there is mentioned הילכתא, and to read מכילתא instead of הילכתא (see Friedmann, *Introduction*, p. xxxiv). Without entering into any discussion of the question whether or not the Talmud knew our Midrash, in the form in which it is preserved to us, we can state with all certainty that it did not know it under the name of Mekilta. Whatever Tannaitic Midrash to Exodus the Talmud did know, or in whatever form such a Midrash may have existed in Talmudic times, it was considered as a part of the collection of Tannaitic Midrashim to the three books of the Torah, Exodus and Numbers and Deuteronomy, and was included in the general title, 'Sifre debe Rab',² given to this

² Or שאר ספרי רבי רב, i.e. the other books of the Pentateuch, besides Leviticus, containing laws; see Hoffmann, *Zur Einleitung in die halachischen Midraschim*, Berlin, 1887, p. 40, and *Zur Einleitung in die Mekilta de-Rabbi Simon ben Jochai*, Frankfurt a. M., 1906, pp. 2 and 5, note 1.

collection of Midrashim in the Talmud, but it did not have any special name for itself.

This fact, that the Tannaitic Midrash to Exodus formed part of the 'Sifre' mentioned in the Talmud is attested by the best rabbinic authorities, and accepted by almost all modern scholars.

This including of the Midrash to Exodus in the collection of the other Midrashim and calling it by the name of Sifre, which we observed in the Talmud, continued also in post-talmudic times throughout the entire period of the Geonim, and is found also among early rabbinic authorities of the period after the Geonim.

I shall arrange here in chronological order those post-talmudic authorities who did not know our Midrash under the name of Mekilta, but refer to it under the name of Sifre; then, those authorities who occasionally use the term מכילתא, not as a name, but as a description of our Midrash or of parts of it; and finally, those authorities who use the term מכילתא as a designation or as *the* name for our Midrash. This will show us the time when the name Mekilta was given to our Midrash, or since when this name became its special designation.

Among the Geonim of the ninth century our Midrash was not known by any special name, but was included in Sifre. Amram Gaon includes our Midrash in the Sifre, see L. Ginzberg, *Geonica*, II, pp. 307, 329. In another Gaonic responsum of the ninth century, published by Ginsberg (*ibidem*, pp. 37-9), there is given an interesting explanation of the meaning of the word מכילתא, which we shall discuss further on. What interests us at this point is that, apparently, neither the questioner nor the respondent knew of a Midrash called by the name of Mekilta.

The author of the Seder Tannaim we-Amoraim does not know of any special name for the Midrash to Exodus. He plainly states that this Midrash, together with the Midrash to Numbers and Deuteronomy, is called by the name Sifre.

The statement reads as follows: **וספרי שהן חומש ואלה שמות וחומש הפקודים וחומש משנה תורה**. This is the original and correct reading of the passage as given in the following editions of the Seder Tannaim we-Amoraim: S. D. Luzzatto in *Kerem Chemed*, IV, p. 193; Filipowski's edition of the **יוחסין**, London, 1857 (p. 253; comp. Vitry, 492); Graetz, *Einleitung in den Talmud* (Breslau, 1871, p. 32); A. Marx, *Neue Texte des Seder Tannaim we-Amoraim*, p. vi.

It is true in the edition of the Seder Tannaim we-Amoraim published by H. J. D. Azulai in his **ועד לחכמים**, there is found a reading which mentions our Midrash by the name Mekilta. The passage reads: **מכילתא שהיא ספר ואלה שמות מן החורש הזה לכם עד סוף ספרא**. But this is not the correct reading. It is a variation made by a later hand, by one who already knew that the Midrash to Exodus was described as **מכילתא**. The same is to be said about the passage in Halakot Gedolot at the end of **הלכות הספר** (editio Vienna, 1810, p. 106 a),³ where we find the following reading: **וספרי שהן ארבעה ספרי ואילו הן בראשית רבא ומכילתא דואלה שמות וספר וידבר ואלה הדברים וספרי שהן** and the words that follow, from **ואילו הן** to **ואלה הדברים**, are a later interpolation, explaining the foregoing statement (see L. Ginsberg, *Orientalistische Literaturzeitung*, 1910, No. 5, p. 227). We cannot determine the time

³ This passage of the Halakot Gedolot is also found in the Gaonic **תורתן של סידור פרשיות של ימים טובים**, published by Ch. M. Horowitz in **ראשונים**, Frankfurt a. M., 1881, p. 43.

when the author of this explanatory interpolation lived. It is evident, however, that even in his time the Midrash to Exodus was still considered as part of the Sifre, and included in this name. The author merely wishes to give a description of this part of the Sifre, the Midrash to Exodus, for which description he uses the term מכילתא.

Of the Geonim of the tenth century, Saadya is the only one of whom it could possibly be said that he referred to our Midrash under the name of Mekilta. In a Genizah, fragment cited by Harkavy in *Hakedem*, I, 1907, p. 127 and supposed to contain statements of Saadya, there is found the following passage, ועל זה מוכיחים כבר דבריהם במכילתא, ואלה שמות שבאור דבור לא תעשון אתי, referring to the saying found in our Mekilta (Bahodesh X, Weiss 79 b). It is apparent, however, that the term מכילתא in this passage is used as a description, and not as a designation for the Midrash to Exodus. Had מכילתא been the designation or name of the Midrash to Exodus, the additional words ואלה שמות would have been entirely unnecessary.⁴ Just as we never say ספרא ויקרא, except, of course, when we wish to refer to a passage in Sifra belonging to the Sidra Wayikra because Sifra is known to be the name of the Midrash to Leviticus, so it could not have been said מכילתא דאלה שמות, if Mekilta had been known as the name of the Midrash to Exodus. It is even more likely that the term מכילתא ואלה שמות in this passage, as well as in the interpolation to the Halakot Gedolot and in Azulai's version of the

⁴ To argue that the words דאלה שמות were added to distinguish the Midrash to Exodus from Midrashim to other books of the Pentateuch, likewise, called Mekilta, would take for granted that the Geonim designated by the name 'Mekilta' not only the Midrash to Exodus but also other Midrashim, when, as a matter of fact, we have no proof for their having known even the Midrash to Exodus by that name.

Seder Tannaim we-Amoraim, simply means 'the collection, or collections,⁵ of Midrashim to the book of Exodus'. In a responsum by a Gaon who lived after Saadya (Harkavy, No. 66, p. 31) a passage from our Mekilta (Shirah I, Weiss 41a) is quoted as דברי רבותינו שענו בשאר ספרי דבי רב. So this Gaon knew our Mekilta by the name of רב שאר ספרי דבי רב and not by the name of Mekilta.

Sherira Gaon does not know our Midrash by the special name of Mekilta. For in his famous epistle in which he mentions Midrash, Tosefta, Sifra, Sifre, and Talmud, when and by whom they were redacted or arranged, he fails to mention the Mekilta. Nor was he asked about the Mekilta in particular. Evidently both his questioner, Jacob of Kairuan, and Sherira himself knew the Midrash to Exodus merely as part of the Sifre and included in this name, and not by the name of Mekilta.

In another responsum addressed to Jacob of Kairuan (Harkavy, No. 262, p. 135) Sherira uses the term מכילתא in the sense of מסכתות or Mishnah collections. Evidently he does not know the term מכילתא as a special designation for the Midrash to Exodus.⁶

Even of the last of the Geonim, Hai Gaon, we cannot state definitely that he knew the Midrash to Exodus by

⁵ The word is probably to be read in the plural form מְכִילָתָא. If in the course of this article I use the form Mekilta, I do so because this has become the generally accepted form, though the proper pronunciation of the name should be in the plural, Mekilata; see below, note 23.

⁶ I cannot accept the suggestion offered by Ginzberg (*Orientalistische Literaturzeitung*, l. c.) that the Geonim might have made a distinction between the use of the term מְכִילָתָא in the singular, as designating the Midrash to Exodus, and the use of the plural מְכִילָתָא in the sense of collections, or מסכתות. For, as a matter of fact, we have no proof whatever for the assumption that the Geonim ever did use the singular מְכִילָתָא as a designation of the Midrash to Exodus.

the name of Mekilta, though it must have been in his time that the Midrash began to be described or called by the name Mekilta. In a responsum of his, probably addressed indirectly to Samuel Hanagid, there is found the following passage in which the term מכילתא occurs: אבל עיקר הא בריתא מספרי דבי רב היא והכין תנו כולו תנאי ואין ביניהון חילוף יביא עדירה לבית דין וכן הוא אומר כאשר יציל הרועה מפי האריה וגומר ובמכילתא דארץ ישראל ואף על פי שאין ראיה לדבר זכר לדבר שתי ברעים או בדל און.

The Baraita referred to in this passage is the one found in our Mekilta (Mishpatim XVI) though the reading in our Mekilta is somewhat different. Now the Gaon tells us that the origin of this Baraita is in the 'Sifre debe Bab', so he refers to our Mekilta under the name of 'Sifre debe Rab'. The Gaon further tells us that all the versions or editions of this Baraita of the Sifre agree in the reading עדירה. The only difference that exists between the different versions is in the introductory formula with which the Scriptural support is adduced. Instead of the introductory formula וכן הוא אומר, there is found in the Palestinian Mekilta,⁷ the formula ואע"פי שאין ראיה לדבר זכר לדבר. The same formula which the Gaon found in the Palestinian Mekilta is also found in our Mekilta. From the very fact that the Gaon uses the phrase 'in the Palestinian Mekilata', and contrasts it with the 'Sifre debe Rab', it is evident that he did not know the name Mekilata as being the special designation of the Midrash to Exodus. For had the Midrash to Exodus been known to him under the name Mekilta, the qualifying term 'Palestinian', דארץ

⁷ Here also the word is probably to be read in the plural form ובמכילתא, unless we assume that the Gaon refers only to the one part, or מסכתא, of our Midrash in which the passage is found; see below, note 23.

ישראל, would have been superfluous. It would have been sufficient to say, 'in the Mekilta'.⁸ Again, after having identified this Midrash with the 'Sifre debe Rab', which he told us was the source of the Baraita in question, how could the Gaon, in the same paragraph, call the very same Midrash by another name, and contrast it with the 'Sifre debe Rab'. It is, therefore, evident that, like his father Sherira, Hai Gaon uses the term מכילתא in its general meaning of 'collection', hence the need of the qualifying term 'Palestinian', דארין ישראל, to describe in which collection of the 'Sifre debe Rab' this variant reading was found. The phrase, ובמכילתא דארין ישראל, accordingly means nothing else than a Palestinian version, or edition, of the Sifre debe Rab, or of that part of it dealing with the book of Exodus.

Thus it may be stated that the Geonim, like the Talmud, did not have any special designation for the Midrash to Exodus which they considered and knew only as a part

⁸ The argument that the qualification דארין ישראל might have been necessary to distinguish our Mekilta from the other Mekilta, the one of R. Simon b. Johai, assuming that the latter alone was included by the Geonim in the Sifre debe Rab (compare Hoffmann, *Zur Einleitung in die halachischen Midraschim*, p. 36, note 2), does not hold. In the first place, there is no proof for the assumption that only the Mekilta of R. Simon b. Johai was identified by the Geonim with the Sifre debe Rab (compare Hoffmann, *Zur Einleitung in die Mechilta de-Rabbi Simeon b. Jochai*, Frankfurt a. M., 1906, p. 5, where Hoffmann himself expresses some doubts in the matter). On the contrary, we have seen that our Mekilta also was included by the Geonim in the Sifre. But above all, the argument defeats itself. For, if the Mekilta of R. Simon b. Johai alone, and not our Mekilta, was included in the Sifre and called by that name, then there was only one Midrash left to be called by the name of Mekilta, and this was our Midrash; and the mere name Mekilta, without the qualification דארין ישראל, would have sufficiently distinguished it from the Midrash of R. Simon b. Johai, included in and called by the name of Sifre debe Rab.

of the Sifre. In only two instances we have found that when referring to the Midrash to Exodus the Geonim, Saadya and Hai, use the term מכילתא as a description of that Midrash, but not as its special designation.

It is only outside of Babylon, and by teachers who do not belong to the official schools of the Geonim, that the name מכילתא is used as a special designation, or as the name for the Midrash to Exodus. The first to our knowledge to designate our Midrash by the name of 'Mekilta' or 'Mekilta de-Rabbi Ishmael' were the contemporaries and correspondents of Hai Gaon, R. Nissim of Kairuan and R. Samuel Hanagid of Granada in Spain.

In his work on the Talmud, Sefer ha-Mafteah (ed. Goldenthal, Vienna, 1847, p. 44 b, to Sabbath 106 b), R. Nissim, referring to a certain Baraita, states that its origin is in the Mekilta de-Rabbi Ishmael, ועיקר זה הבריתא, בסוף מכילתא דרבי ישמעאל. This Baraita is indeed found at the end of our Mekilta. Nissim, then, knew our Midrash by the specific name of Mekilta de-Rabbi Ishmael. Still more definite is his contemporary, R. Samuel Hanagid, who, in his Mebo ha-Talmud, expressly distinguishes the Midrash to Exodus, which he designates by the name of Mekilta de-Rabbi Ishmael, from the Sifre, which he declares to comprise only the two books, Numbers and Deuteronomy. He speaks of מכילתא דרבי ישמעאל ואותיות דרבי עקיבא ותורת כהנים היא כפרא והוא ספר ויקרא לבר וספרי במדבר סיני ואלה הדברים. It was probably from R. Nissim that R. Samuel Hanagid learned to distinguish the Midrash to Exodus from the Sifre, and to apply to the former the specific name of Mekilta de-Rabbi Ishmael. R. Nathan of Rome, a younger contemporary of Samuel Hanagid, likewise distinguishes our Midrash from the Sifre. He declares the Sifre to consist

of the Midrash to only two books—Numbers and Deuteronomy—of the Pentateuch, כפרי הוא וישלחו עהן שני חומשין (Aruk, s. v. כפר), while the Midrash to Exodus, which he quotes many times, he calls Mekilta. Accordingly we may state definitely that in the eleventh century some teachers, R. Nissim, R. Samuel, Hanagid, and R. Nathan of Rome, considered the Midrash to Exodus as a Midrash distinct and separate from the Sifre, and they called it by the specific name of Mekilta or Mekilta de-Rabbi Ishmael. And from the twelfth century on we find an increasing number of teachers applying the name 'Mekilta' or 'Mekilta de-Rabbi Ishmael' as a specific designation for the Midrash to Exodus. However, even then the older practice of considering this Midrash as a part of the Sifre and designating it as such still continued. And up to the close of the fourteenth century we find our Midrash called by both its older name כפרי, as well as by its new name Mekilta. Only after that period the older mode of designating our Midrash by the name of Sifre was no more used, and the new name Mekilta, or Mekilta de-Rabbi Ishmael, became its sole name.

Before proceeding to inquire into the meaning of this name, and why it was given to our Midrash in particular, I first wish to cite here those authorities up to the close of the fourteenth century who still considered our Midrash as part of the Sifre, and would quote it by that name. I deem this necessary, for it furnishes additional proof for our theory that Mekilta is the younger name of our Midrash, and that this new name only gradually supplanted the older original name, which was Sifre. Had Mekilta been the original name of our Midrash it would be hard to explain how after the eleventh century, when our Midrash

was certainly already distinguished from the Sifre to Numbers and Deuteronomy and forming a separate work, some authorities should come to designate it by the name of Sifre, a name then already applied as a specific designation for the Midrash to Numbers and Deuteronomy.

R. Gershom b. Judah of Mayence, in his commentary on Temurah 4 a, quotes twice a passage as from Sifre (the second time it is printed by mistake ספרא for סיפרי). This passage is not found in Sifre, but is found in the Mekilta Kaspā I (Mishpatim XIX). But R. Gershom calls our Mekilta by the name of Sifre (see Hoffmann, *Zur Einleitung in die halachischen Midrashim*, p. 72).

R. Solomon b. Isaac (Rashi), who knows our Midrash by the name of Mekilta, and frequently quotes it by that name, and in some passages expressly distinguishes it from the Sifre (see his remark *כך היא שנויה בספרי אבל במכילתא* in his commentary on Numbers 11. 20), yet occasionally calls our Midrash by its older name Sifre. Thus in his commentary on Exodus 18. 3, he quotes a saying found in our Mekilta Amalek IV (Yetro II, Friedmann 59 a), and adds to it *כך שנינו בספרי* 'Thus we learn in Sifre'. This saying is not found in Sifre, but Rashi here calls our Mekilta by the name of Sifre. Likewise in a responsum (published by J. Müller in *תשובות חכמי צרפת ולותיר*, Vienna, 1881, No. 25, p. 13) he refers to a passage as being found in the Sifre debe Rab. But the passage in question is not found in Sifre, but in our Mekilta (Bahodesh VII). So here again Rashi calls our Mekilta by the name of 'Sifre debe Rab'.

In his commentary on Job 38. 1, referring to a saying found in the Mekilta Beshalah V (Friedmann 32 a), he uses the phrase *כדמפרש בספרי*. Likewise, in his commentary on

the Talmud (Shabbat 146 a), referring to a saying found in the Mekilta Baḥodesh IX (Friedmann 71 b), he uses the phrase כרתניא בספרי. R. Eliezer b. Nathan, in his Eben ha-Ezer (ספר ראב"ן), paragraph 271, referring to a saying found in our Mekilta Kaspa II (Mishpatim XX, Friedmann 102 b), uses the phrase שנוי בספרי דבי רב. The saying is not found in Sifre. Evidently ראב"ן likewise calls the Mekilta by the name of Sifre debe Rab.⁹ The Tosafists, likewise, occasionally refer to our Midrash under the name of Sifre, although, like Rashi, they also knew it by the name of Mekilta. Thus, in their comments on the Talmud, B. M. 12 b, s. v. מאי בעיא גביה, referring to the statement found in the Mekilta Mishpatim III that a woman cannot sell herself into slavery, use the phrase כדאיתא בספרי. In their commentary on the Pentateuch, commenting upon Exod. 12. 30, they quote a passage from our Mekilta (Pisha XIII), and introduce it with the phrase אמרין בספרי 'We say in Sifre'. Kikewise, in their comment on Exod. 20. 1, they quote a passage from our Mekilta (Baḥodesh IV) with the remark that it is found in Sifre (Sifra is a misprint for Sifre). R. Jacob Tam probably also considered our Mekilta as part of the Sifre, see Ginzberg, *Geonica*, II, p. 329, note 9.

R. Judah b. Eliezer (ריב"א), in his commentary on the Pentateuch (printed together with the commentary of the Tosafists, Warsaw, 1904), also calls our Mekilta by the name of Sifre (see his comment on Exodus 16. 35). And Asheri, in his commentary on Nedarim 36 b, also includes our Mekilta in the name of Sifre (compare Ginzberg, *Geonica*, II, p. 307).

⁹ For this reference as well as for the reference to Rashi Job 38. 1 and Shabbat 146 a, I am indebted to my friend, Prof. L. Ginzberg, of the Jewish Theological Seminary in New York.

Perhaps the statement סתם ספרי רבי ישמעאל, made by R. Samson of Chinon in his *Sefer Keritut* (Leshon Limmudim, II, 13), is to be understood as referring only to the Mekilta, which the author considers as part of the Sifre and hence calls it by that name. Possibly the word לשמות has been omitted by mistake, and the statement should read in full סתם ספרי לשמות רבי ישמעאל (compare Z. Frankel, *Darke ha-Mishnah*, p. 309, and against him H. S. Horovitz, *Siphre D'be Rab* (Leipzig, 1917, Introduction, p. vi, note 4).

R. Solomon Ibn Adret, in his *Novellae to Talmud Gittin* 64 b, introduces a saying found in our Mekilta Mishpatim III (Friedmann 78 a) with the words, הכי איתא בספרי 'Thus it is found in Sifre'. R. Nissim b. Reuben Gerondi, in his *Novellae Gittin*, *l. c.*, also cites the same saying from the Mekilta with the remark, דהכי דרשינן בספרי 'Thus we interpret in Sifre'.

Hasdai Crescas, who in the preface to his *Or Adonai* (p. 1 b-2 a) mentions the authors or redactors of the Mishnah, Tosefta, Sifra, Sifre, and the Palestinian and Babylonian Talmud, but does not mention the Mekilta, evidently also includes the latter in the Sifre.¹⁰

Let us now proceed to inquire into the meaning of the name Mekilta, and why it first was used as a description and then applied as a designation of the Midrash to Exodus. It is assumed by almost all scholars,¹¹ that מכילתא, the

¹⁰ I subsequently found that R. Joseph di Trani מהרי"ם, an author of the second half of the sixteenth century, also, occasionally applies the name Sifre to our Mekilta. In his *Novellae to Kiddushin עברי בסוגיא דעבד עברי* (Fürth, 1768, p. 20 d), he refers to a passage in our Mekilta (Mishpatim I) with the remark, כדדרשי התם בספרי.

¹¹ To my knowledge Güdemann (*Monatsschrift*, 1870, p. 283) and Ginzberg (*Orient. Literaturzeitung*, *l. c.*), are the only ones who refused to accept this interpretation of the term Mekilta.

Aramaic equivalent for the Hebrew מדה, means 'rule' or 'method'. The plural מדות, meaning the exegetical rules by which the Torah was interpreted, מדרה שהתורה נדרשת בהן, became the name for the Midrashim, since they employ these methods or rules of interpretation. The Aramaic equivalent for מדות, i.e. Mekilata, the plural form of Mekilta, thus became the name of our Midrash (Zunz, *Gottesdienstliche Vorträge*, pp. 50-51; Friedmann, *Introduction to the Mekilta*, p. xxxii; Hoffmann, *Zur Einleitung*, etc., pp. 3, 37, and 71; compare also Frankel in *Monatschrift*, 1853, p. 392). According to this explanation of the meaning of the term Mekilta, the name would apply to all Midrashim alike. It must therefore be explained why it was applied to the Midrash to Exodus in particular. To meet this difficulty Friedmann offers the following explanation. The name Mekilta, indeed, was the original name for all the halakic Midrashim to the four books of the Pentateuch, Exodus, Leviticus, Numbers, and Deuteronomy. But after the Midrash to Leviticus received the special name ספרא, and after the two Midrashim to Numbers and Deuteronomy were joined together and given the special name ספרי, there was left only the Midrash to Exodus to be called by the original name Mekilta (*Introduction to Mekilta*, pp. xxxvi and xl). This explanation, however, must be rejected as utterly false. In the first place, it presupposes that Mekilta is the older name, and Sifra and Sifre are the younger ones. In this case we certainly should expect to find the older, original name mentioned in the Talmudic literature, where the two younger names are frequently mentioned. Secondly, it does not explain why just the other three Midrashim received new special names, and only the Midrash to Exodus was left to retain

the older name. But, above all, it is refuted by the fact that the Midrash to Exodus was also included in the Sifre, and called by that name even after the two Midrashim to Numbers and Deuteronomy had been joined together.

Just as untenable is the theory offered by Felix Perles (*Orientalistische Literaturzeitung*, 1909, No. 8, p. 355; comp. also *Kerem Hemed*, II, p. 195, and Geiger, *Nachgelassene Schriften*, II, p. 125). According to Perles, the Baraita of R. Ishmael, containing the thirteen rules, or *י"ג מדות שהתורה*, now found at the beginning of the Sifra, had originally its place at the beginning of the Midrash to Exodus. This, then, gave to the Midrash the name *מדות* = *מכילתא*. Later on, for reasons which can no more be ascertained, this Baraita of the thirteen rules was transferred to the beginning of the Sifra, but the name which it gave to the Midrash to Exodus remained with the latter nevertheless. Without entering into a discussion of the question whether or not the Baraita of the thirteen rules originally had its place in the Midrash to Exodus, it is evident that this could not have been the reason for giving the Midrash the name Mekilta. For the Baraita itself is nowhere called *מכילתא* or *מדות*, but is referred to as *מדרש רבי* *ישמעאל*.¹² Furthermore, we have seen that the name Mekilta was given to our Midrash not earlier than the eleventh century, and at that time the Midrash to Exodus did not contain the Baraita of the thirteen rules. Thus we see that even granting the premises that *מדות* was a technical term designating Midrashim, and that *מכילתא* is the Aramaic translation of this Hebrew technical term, even then it remains unexplained why our Midrash, once called Sifre

¹² *ספר האשכול הלכות תפלה*, pp. 7 and 8. For other references see Zunz, *op. cit.*, p. 53.

like the Midrashim to Numbers and Deuteronomy, should have received the name Mekilta as its special designation. As a matter of fact, however, these premises are not correct.

There is no proof for the statement that מדות is used in the Talmud as a technical term for Midrash. In those passages in the Talmud in which the term מדה or מדות is found as designating halakic teachings, it means collections of halakic teachings in Midrash form.¹³ It may possibly be interpreted to designate halakic collections in both Midrash and Mishnah form, but it cannot be interpreted to mean Midrash collections exclusively. Thus the saying of R. Simon b. Johai, בני שני מדותי שמדותי (Gittin 67 a) means 'Study my halakic collections for they are the choice selections from the collections of R. Akiba'.¹⁴

Likewise the term מדותיו של רבי אלעזר בן שמעון in Menahot 18 a simply means R. Eleazar's collections of halakic teachings. Judging from the context one must assume that these collections were Mishnah collections and not Midrashim.¹⁵

As to the meaning of the Aramaic term מכילתא, as used in the Talmud in referring to halakic teachings, it is even more evident that it was applied only to collections in Mishnah form, and never was used to designate Midrashim.¹⁶

For the sake of completeness, I will cite here all the passages in the Babylonian and Palestinian Talmud in

¹³ Compare Ginzberg, *l. c.*

¹⁴ Rashi explains it to refer to the Mishnah-collections of R. Akiba: למדו תורותי בחרתים ותרמתי מתוך עיקרי משניותיו של רבי עקיבא.

¹⁵ From Yebamot 84 b it is evident that Judah Hanasi studied with R. Eleazar b. Shamua Mishnah and not Midrash.

¹⁶ Compare Hoffmann, *Zur Einleitung in die Mechilta de-Rabbi Simeon b. Johai*, p. 2.

which the term מכילתא occurs, and it will be seen that in all of them the term designates a Mishnah or Baraita collection. In Pesahim 48 a it is said, that although in the Mishnah R. Eliezer is silent, and does not answer the argument of R. Joshua, it does not follow that he agrees with him, for his answer may be found in another collection, אימור שתיק. ליה במתניתין ואהדר ליה במכילתא אחריתי. It is evident that Mekilta in this passage cannot mean Midrash, for then the qualifying term אחריתי would be entirely superfluous. It would be a sufficient contrast to say, he was silent in the Mishnah but answered in the Midrash. But Mekilta evidently means a collection of halakic teachings like our Mishnah, hence it is necessary to add the word אחריתי to indicate that the answer of R. Eliezer, though missing in our Mishnah, may be found in another Mishnah collection.

In the passage in Gittin 44 a, where R. Jeremiah says to R. Zerika פוק עיין במכילתיך, the term מכילתא cannot mean Midrash. It rather means, as Rashi explains it, במשנה, a collection of Mishnayot or Baraitot. And, indeed, the Baraita which R. Zerika, after some search did find, is a Mishnah-Baraita and not a Midrash-Baraita. Likewise, in the statement ר"ל מיפך אפיך והכי מוטיב ממכילתא אחריתי (Temurah 33 a), the expression ממכילתא אחריתי cannot mean 'from another Midrash', as Zunz (*op. cit.*, p. 50) seems to assume. It merely means 'from another collection',¹⁷ or, as Rashi explains it, from another Baraita which he found דאשכח ברייתא אחריתי. And, indeed, the Baraita cited there is a Mishnah-Baraita, and not a Midrash-Baraita.

In the passage, בר נש דתני חדא מיכלא והוא אול לאתר ואינון מוקרין ליה בגין תרתי צריך מימר לון אנא חדא מיכלא אנא חבם

¹⁷ Tosafot s. v. רשב"ל read ותני במכילתא אחריתי, which means, he recited a Baraita, found in another collection; see below, note 21.

(p. Shebiit, X, p. 39 d), the term מִכְלָא evidently means tractate or מִסְכְּתָא¹⁸ or collection, but not of Midrash exclusively. The meaning of the saying is, that if the people honour him because they believe him to be learned or versed in two tractates or collections he must not accept this undeserved honour, but declare to them that he has studied or knows only one tractate or collection.

Likewise, in the statement אַפִּיק ר' יאשיה מְכִילְתָּא (p. Abodah zarah, IV, p. 44 b) the term מְכִילְתָּא means a collection of halakic teachings. And the Baraita which R. Josiah cites from this collection is a Mishnah-Baraita and not a Midrash-Baraita.¹⁹

There is only one passage which would seem to lend support to the supposition that the term מְדוּת and its Aramaic equivalent מְכִילְתָּא were used to designate Midrashim, and this is the passage in the Midrash Leviticus R., III, i, which we shall now consider.

The passage reads, as follows: טוֹב מִי שְׁשׁוֹנָה שְׁנֵי סְדָרִים וְרִנִּיל בָּהֶם מִמִּי שְׁשׁוֹנָה הַלְכוֹת וְאִינוּ רִגִּיל בָּהֶם אֶלָּא וְרַעוּת רֹחַ רַעוּתִּיהָ דְּמִיתְקָרִי בַּר הֵילְכֵן טוֹב מִי שְׁשׁוֹנָה הַלְכוֹת וְרִגִּיל בָּהֶם מִמִּי שֶׁהוּא שׁוֹנָה הַלְכוֹת וּמְדוּת וְאִינוּ רִגִּיל בָּהֶם אֶלָּא וְרַעוּת רֹחַ רַעוּתִּיהָ דְּמִיתְקָרִי בַּר מְכִילָאן טוֹב מִי שֶׁהוּא שׁוֹנָה הַלְכוֹת וּמְדוּת וְרִגִּיל בָּהֶם מִמִּי שֶׁהוּא שׁוֹנָה הַלְכוֹת וּמְדוּת וְתַלְמוּד וְאִינוּ רִגִּיל בָּהֶם אֶלָּא וְרַעוּת רֹחַ רַעוּתִּיהָ דְּמִיתְקָרִי בַּר אֹלְפֵן.

R. Nathan, in Aruk, s. v. מִד, quotes the second sentence of our Midrash וּמְדָה הַלְכוֹת וּמְדָה מִי שְׁשׁוֹנָה הַלְכוֹת וּמְדָה which he comments on as follows: בִּירוֹט טוֹב מִי שְׁשׁוֹנָה מִשְׁנִיּוֹת וּמְכִילְתוֹת כְּלוּמַר מְדָרְשׁוֹת כְּעִין:

¹⁸ So it is explained by Aruk s. v. מְכִל.

¹⁹ The fact that this Baraita is also found in our Mekilta does not in the least affect the correctness of our statement. The redactors of the halakic Midrashim have embodied in their works many Mishnah-Baraitot taken from other collections; see Hoffmann, *Zur Einleitung in die halachischen Midraschim*, p. 3.

מכילתא. Following this suggestion of Aruk, Zunz (*op. cit.*, p. 50), and after him Friedmann (*op. cit.*, p. xxxii), and Hoffmann (*op. cit.*, p. 3, note 5), and Bacher (*Terminologie*, I, p. 102) have understood the terms מדות and מכילתא in this Midrash passage to mean Midrashim. They, accordingly, interpreted this Midrash to mean: 'It is better for one to study only two orders of the accepted Mishnah and be thoroughly familiar with them, than to study the entire Mishnah collection (הלכות being the designation of the accepted Mishnah of Judah ha-Nasi), and not be thoroughly familiar with it, merely to satisfy his ambition to be called a student of the Mishnah. It is better for one to study only the Mishnah and be thoroughly familiar with it, than to study the Mishnah and the Midrashim and not be thoroughly familiar with them, merely to satisfy his ambition to be called a student of the Midrashim. It is better for one to study only the Mishnah and the Midrashim and be thoroughly familiar with them, than to study the Mishnah and the Midrashim, and in addition to these also the Talmud (that is the Amoraic discussions and comments to the Tannaitic teachings) without being thoroughly familiar with them, merely to satisfy his ambition to be called a student of the Talmud.'

This interpretation of the Midrash passage, especially of the second sentence of it which concerns us, is not correct. According to this interpretation, the second sentence of the Midrash passage is out of keeping with the first and the third sentence, and logically not consistent with the main idea which the Midrash wishes to convey, viz. that it is better to study a small part thoroughly than to study a larger part superficially. In the first sentence the advice is given to the student rather to be content with a thorough knowledge

of but two orders, that is a part of the Mishnah, than to study superficially all the orders of the Mishnah merely because his ambition is to be called a student of the entire Mishnah and not of merely a part of it. The third sentence refers to one whose ambition is to be called a student of the Talmud, which requires a knowledge of both the Tannaitic teachings as well as the Amoraic comments on the same, for one cannot study a commentary without the text. The advice given to such a student, is, likewise, rather to content himself with a thorough knowledge of only a part of the Talmud, i. e. the Tannaitic teachings, than to study the whole of it superficially. The second sentence, in the meaning given to it by the interpretation of the scholars mentioned above, advises one, whose ambition it is to be called a student of Midrashim, not to try to study Mishnah and Midrashim superficially but rather to content himself with a thorough knowledge of the Mishnah. But it is just here where this interpretation is logically at fault. For Mishnah is not a part of the Midrashim, as, in the first sentence, the two orders are but a part of the entire Mishnah; or, as in the third sentence, the Tannaitic teachings are but a part of the Talmud. Furthermore, why should one whose ambition it is to be called a Midrash student, be supposed even to try to study both Mishnah and Midrashim?

It is therefore evident that the term מדרות and מכילאן in this Midrash passage have the same meaning which we have found them to have in all the other passages of the Talmud where they occur. They merely designate collections of halakic teachings or Mishnah collections. The one whose ambition it is to be called a student versed in many different Mishnah-collections, will, of course, study the main collection, i. e. the accepted Mishnah, called הלכות.

But, he will also try to study in addition other collections. The advice is, therefore, given to him rather to content himself with a thorough knowledge of but one part of the Mishnah collections, i.e. the accepted Mishnah, than to study superficially all the various Mishnah collections.

Thus we find that the interpretation of the term *מכילתא* to mean a Midrash collection cannot be supported by any proof from the Talmudic Literature. For, as we have seen, in all the passages of the Talmud where the term is used it unmistakably refers to a collection of Halakot in Mishnah form. We have also found that even the passage in the Midrash Leviticus R. which Zunz considers as the most decisive support for his interpretation of the term *מכילתא*, does not at all decide in his favour, but rather favours the interpretation of the term as meaning halakic collections in Mishnah form and not Midrashim.

If we consult the post-Talmudic authorities as to the meaning of the term *מכילתא*, we likewise find that, with the exception of the one suggestion by Aruk cited above, the ancient authorities did not understand *מכילתא* to mean Midrash.

Thus, in the Gaonic responsum (Ginzberg, *Gaonica*, II, p. 39) already referred to above, the Gaon²⁰ explains *מכילתא* to mean a compendium of choice Halakot collected from the entire Talmud and made into or arranged like one tractate or *מסכתא*. It should be noticed also that the questioners merely asked whether *מכילתא* means a whole tractate or merely a Baraita²¹ *מכילתיך מסכתא היא או ברייתא היא*.

²⁰ It was probably R. Zemah Gaon, since the latter's explanation of the term *מכילתא* as quoted by Johasin s. v. *וריקא* is identical with the one given in this responsum.

²¹ It is probably the observation that in some passages in the Talmud the

So it seems that it never occurred to them that מכילתא might possibly mean Midrash. We have seen above that Sherira Gaon uses the term מכילאתא in the sense of מסכתות. R. Nissim of Kairuan (cited by Aruk s.v. מכל) takes מכילתא to be like מגילתא, the Gimel and the Kaf being interchangeable. Accordingly he understood it to mean a scroll, containing a collection of Halakot.

The author of the Aruk himself (*l.c.*) gives two interpretations to the word מכילתא. According to the one it means a Baraita containing reasons or discussions of the Tannaim ברייתא שהיו בה מעמי התנאים. According to the other, it means a מסכתא or Tractate, just as the term מכלא in p. Shebiit, X, p. 39^d.

We have also seen that Rashi explains מכילתא to mean משנה סדורה, i.e. a well ordered or systematically arranged collection of Halakot or Mishnayot.

We accordingly find that with the exception of the one interpretation by Aruk, the ancient authorities interpret the word מכילתא to have the same meaning as the word מסכתא and to designate a Tractate or a compendium of Halakot.

This meaning of the word מכילתא is practically assumed by all rabbinical authorities from the eleventh century down to our own days. For, as is well known, the word מכילתא in the sense of מסכתא is frequently found in works of Rabbinic authors, and is used to refer to any tractate

term מכילתא apparently is applied even when only one statement from a collection, i.e. one Baraita, is referred to, that caused them to think that מכילתא might possibly mean a single ברייתא. As a matter of fact, however, the reference in such passages is really to the collection from which the Baraita is quoted. Thus the phrase מותיב ממכילתא אחריתי in Temurah 33a really means, he argues from a Baraita found in another collection. The improved reading offered by Tosafot there (see above, note 17) makes this meaning still clearer.

of either Mishnah or Tosefta, Palestinian or Babylonian Talmud.

This fact certainly supports the supposition that the original meaning of the term *מכילתא* was like *מסכתא*. Had the term *מכילתא* been originally used to designate Midrash exclusively, one could hardly explain how the later rabbinic authorities came to use it so extensively when referring to the tractates of the Mishnah and the Talmud.

Having ascertained the meaning of the term *מכילתא* and especially the sense in which it was used at the time when it was first applied as a description of the Midrash to Exodus, we can now proceed to answer the third and last question of our problem, viz. does the name *מכילתא* express a special characteristic of the Midrash to Exodus, so that it could justly be applied to it as its special designation? For it is evident that the meaning of the name *מכילתא* as given to our Midrash is the same as the meaning which this term has in the Talmud, and in which it is used by the post-talmudic rabbinic authorities. Now, we find, indeed, that our Midrash possesses a peculiar characteristic or one special feature which distinguishes it from the other Midrashim of its class, especially from the Sifre to which it originally belonged, and which entitles it to the specific designation *מכילתא*. This special feature of our Midrash consists of its peculiar arrangement according to tractates or *מסכתות*.

The Midrash to Exodus consists of nine tractates. Each one of these tractates forms a separate collection or an independent treatise, dealing with one topic or one group of laws or one event or period in the history of Israel as recorded in the book of Exodus. Each one of these tractates is called *מסכתא*, e.g. *מסכתא דשירתא*, *מסכתא דפסחא*, &c.

It is divided in chapters and each chapter is subdivided in paragraphs called הלכות.²² Thus, in form and arrangement, these tractates, constituting our Midrash, are not in any way different from the tractates of the Mishnah or Tosefta even though their contents form a continuous commentary or Midrash to a large part of the book of Exodus.

It was because of this peculiar feature that the description מכילתא was used when referring to this Midrash. Its name was ספרי like the Midrash to Numbers and Deuteronomy, but occasionally, as in the case of the Saadya-fragment, the description מכילתא 'Tractates' was used instead of its real name ספרי. But, since this description was not definite, as it might refer to another group of tractates, the words רואל שמות were added to indicate which group of tractates was meant, viz. the one belonging to, or dealing with, the book of Exodus. Gradually this substitution of the description מכילתא instead of the real name ספרי came more and more into use, but for a long time it did not supplant the name Sifre. Hence we understand how authorities like Rashi, the Tosafists, and others refer to our Midrash both as Sifre and as Mekilta. For they retained the original name of our Midrash which was Sifre. But when they wished to make clear that they refer to the part of Sifre, dealing with Exodus, they would describe it by its characteristic feature as consisting of a group of tractates and would use the description מכילתא, or מכילתין, or מכילתי. They used the plural form when referring to the Midrash as a whole,

²² In the editions of the Mekilta the marks for these subdivisions have been entirely obliterated. The manuscripts still show traces of the subdivision of the פרקים into הלכות. More about this in the article dealing with the arrangement and the divisions of the Mekilta which will appear in a subsequent issue of this REVIEW.

for it consists of a group of tractates.²³ Occasionally, however, when referring to one of the tractates of our Midrash from which they quoted a saying, and not to the Midrash in its entirety, they would use the singular form. This singular form is sometimes used with the suffix of the third person masculine as במכילתיה.²⁴ This is not shortened from במכילתיה דרבי ישמעאל as Friedmann (*l.c.*, p. xxxiii) assumes. The suffix points to the subject under discussion

²³ The correct pronunciation of the name is מְכִילָתָא Mekilata and not מְכִילְתָּא Mekilta. Not only do the plural forms מכילתי, מכילתינ, and מכילתן point to such a pronunciation, but we have direct evidence from mediaeval authorities for the plural form. Narboni mentions our Midrash under the name of מכילאתא in the plural form (see Brüll, *Jahrbücher*, IV, p. 164). The doubt raised by Ginzberg (*Orient. Liter.*, *l.c.*) on the ground that in Midrash Tehillim 36 (Buber, p. 252) the singular form במדת רבי יוחאי occurs, can easily be removed. The reference there is to one collection of R. Simon b. Johai, hence the singular is used. But the name of our Midrash was given to it because it consists of many collections or tractates, hence it is to be pronounced in the plural form. In a letter Ginzberg calls my attention to the fact that Azobi in his קערת כסף also gives the name of our Midrash in the plural form. The expression המכילתא מגדת (Lekah Tob to Exodus 16. 1, Buber 52 a) does not prove anything against the plural form of the name, for the reference there is to the one particular tractate of the Mekilta where the quoted saying occurs. The expression מה שאומר המכילתא (in הלכות תפלין תקל"א), is probably shortened from מה שאומר בעל המכילתא, or it should read מה שאומר במכילתא as in the same paragraph, referring to the same quotation, Or Zarua actually uses the expression דאמר במכילתא. It cannot be denied, however, that already at a very early time the name was erroneously pronounced in the singular. Thus in the colophon at the end of the Mekilta the name is evidently used in the singular form. In the editions the colophon begins with the words חסלת מכילתא, and in the manuscripts it begins with the words סליק מכילתא or סליק מכילתא כולה, all of them using the singular form of the verb, which shows that they read the name Mekilta in the singular. This may have been originally due to a mistake by the copyists. The mistake was then accepted by many so that it became customary to pronounce the name in the singular form, Mekilta.

²⁴ Thus frequently in סמ"ג, but also found in ספר חסידים.

or the saying quoted, and *במכילתיה* means 'in the respective tractate', i. e. in that Tractate of the Midrash in which the subject in question is discussed or the quoted saying found.²⁵ In the majority of instances, however, reference is made to the Midrash as a whole, and the plural form of the description *מכילתא* or *מכילתין* 'the Tractates' is used. In the course of time this description was so frequently used as to cause the real name of our Midrash, Sifre, to fall into disuse. The description *מכילתא* then became the specific designation and the sole name of our Midrash.

As regards the second part of the name of our Midrash, i. e. *דרבי ישמעאל*, it certainly does not mean to say that R. Ishmael was the author of our Midrash. This additional name was given to our Midrash because it begins with the words *רבי ישמעאל* (see Zunz, *op. cit.*, p. 51, note c). Just as the Mekilta of R. Simon b. Johai receives its name from its opening words: *רבי שמעון בן יוחאי אומר* (see Hoffmann, *Zur Einleitung in die Mechilta de-Rabbi Simon ben Jochai*, Frankfurt a. M., 1906, p. 6), in the same way the work *היכלות* was called *בריתא דרבי ישמעאל* (Or Zarua, I, p. 40) because it begins with the words *אמר רבי ישמעאל*, and the Midrash Rabbah to Genesis is called by some authorities,

²⁵ In a different manner does R. Menahem b. Salomo (first half of the twelfth century) distinguish between the entire work of the Mekilta and the individual tractates which compose it. In his *Midrash Sechel Tob* (ed. Buber, Berlin, 1900) he mentions our Mekilta by the name of *מכילתא* (to be pronounced in the plural *Mekilata*). However, when referring to one tractate of the Mekilta, and not to the collection as a whole, he simply uses the term *מסכתא*. Thus on p. 154 he uses the expressions *בדרשינן במסכתא* and *ומפרש להו במסכתין*, referring to the Tractate of the Mekilta, where the passages are found. This further proves that the meaning of the term *מכילתא* when used as the name for our Midrash is identical with the term *מסכתא*.

בראשית דרבי הושעיה, because it begins with the words רבי הושעיה רבה פתח (see Zunz, *op. cit.*, p. 184).²⁶

²⁶ For the sake of completeness I wish to call attention to a peculiar designation applied to our Midrash, or to parts thereof, by some mediaeval authors. In פירוש מסכת משקין לרבינו שלמה בן היתום, ed. H. P. Chajes, Berlin, 1909, p. 31, our Midrash is referred to as במכילתא דסניא. The Karaite Judah Hadasi in his אשכול הכופר, p. 36a refers to our Midrash under the name of מכילתא דסיניא. The meaning of these two terms דסיניא and דסניא, which are probably identical, has not been satisfactorily explained, see Chajes, *l. c.*, and in his Introduction, p. xxii. Chajes is inclined to think that in both instances the Mekilta de-Rabbi Simon b. Johai, and not our Mekilta, is referred to.

In the Munich Manuscript (codex Hebr. 117) the Mekilta is erroneously described as אלה שמות רבה. Thus the copyist has written in the beginning the following words בשם אלהי בשמחה אתחיל ואסיים באלה שמות רבה. This is due merely to a mistake on the part of the copyist, a mistake which can easily be explained. The codex contains the Mekilta and the Midrash Wayikra Rabbah and other Midrashim. These, in all likelihood, had been the contents of the original from which this codex was copied. The copyist, noticing that the Midrash Wayikra Rabbah was preceded by a Midrash to Exodus, erroneously took the latter to be the Midrash Exodus Rabbah.

ISAIAH 14. 12

הילל בן שחר

BY S. A. HIRSCH, London, England.

THERE is a consensus of opinion that the expression הילל בן שחר in Isaiah 14. 12 denotes the morning star. This meaning is attached to the word by the older versions. The Targum renders it נונה, the term by which that planet is usually designated. The old commentators accepted that rendering, which holds the field to the present day.

There can be no doubt that הילל here is derived from הלל 'to light, to sparkle'. It has that meaning in the *Kal* in Job 29. 3, בהלו נרו עלי ראשי *when his lamp shined above my head*, and in the *Hiphil* in Isaiah 13. 10, לא יהלו אורם *shall not give their light*; Job 31. 26, כי יהל *the sun when it shines*, *ibid.* 11. 10, תהל אור *flash forth light*.

The metaphor in our passage is meant to describe a heavenly body, that outshines all others, and is therefore applied to a king, who dominates over and subjugates all others, an overlord who has brought the whole world to his feet. It is, therefore, thought that it is a most apt figure to compare such a conqueror with that star, which is still brilliant in the morning when all other stars have lost their light and become invisible. This is further thought to be clinched by the apposition בן שחר 'the son of the dawn, the son of the morning'. Is not Venus the star which retains its brilliancy after all others have been darkened?

For all that, the translation of הילל by 'Venus' has its

difficulties. In the first place, that star does not eclipse, but only outlives the others for a short time; how can it then metaphorically designate the conqueror 'who had laid low the nations', and now 'has fallen from heaven, and been brought down to the ground'? Secondly, the cruel tyrant of our chapter 'had made the earth tremble, shaken kingdoms, made the world as a wilderness, overthrown its cities, and had not loosed the prisoners to their homes' (vv. 16, 17); who in his arrogant ambition 'had said in his heart, I will ascend unto heaven, I will exalt my throne above the stars of God. . . . I will rise above the heights of the clouds, I will be like the Most High'.

How can the morning star, with its soft, gentle brilliancy, be the emblem of such an overbearing and overpowering oppressor? It would be a very feeble likeness of such ambitions, nor has that star any of the ruling powers in heaven, so as to symbolize these aspirations. The morning star has been aptly connected with love and magic, but would be useless as a poetical comparison with a king who intended to become the monarch of the whole world.

It is the term בן שחר 'the son of the morning', which is misleading here. There is only one heavenly body which can serve as an emblem of the aspirations of an overlord of the world—and that is the sun. The sun is the child of the dawn, born after the darkness of the night out of its beautiful appearance. Thence he ascends the heaven; he exalts his throne above the stars of God; he rises above the heights of the clouds; he is like the Most High, being worshipped as such by many nations. Great kings have taken the sun as their device. Louis XIV called himself *le Roi Soleil*; the flatterers who surrounded his court would never have called him 'the morning star'.

We have the contemporary example of striving to have a place in the sun. The arms of Prussia represent an eagle flying in the face of the sun, and bearing the legend *nec soli cedit*, 'he yields not his place to the sun'. Had William of Hohenzollern come triumphantly out of the latest conflict, the host of admirers who would have exalted his name would not have compared him with the morning star.

The sun is used as an emblem in the coat of arms of many States and dominions, and it would be quite superfluous to point them out. In the above-mentioned passage of Isaiah, the root הלל is applied to the stars, the sun, and the moon; in Job 31. 26 it is used directly of the sun; whilst in Job 41. 10 it occurs in parallelism with עפעפי שחר *the eyelids of the morning*.

I do not hesitate to suggest that הלל בן שחר in our passage denotes the illuminating star, born out of the dawn—the sun.

THE RABBINATE OF THE GREAT SYNAGOGUE,
LONDON, FROM 1756-1842.

BY C. DUSCHINSKY, London.

APPENDIX VI

TRANSLATION OF LETTERS I-IX.

Letter I. Fol. 1 a.

London, 21 Adar, 5536 (1776).

PEACE to my brother the Dayyan, &c., R. Meir, and to his wife and daughter. Amen!

In order to keep the promise I made you in my letter of eight days ago, namely, that I should answer you at length with reference to that^{169f} (certain) Rabbinate, although your words are very veiled I gather that you have recommendations to that place from important people. You have not told me who they are, but I suppose you would not make so much of it without reason. For, indeed, in Hamburg there are many scholars to be found who are fit for that high position, and the Copenhagen congregation always gravitates towards Hamburg. Nevertheless, you are right. 'Do not despise anything' as our sages say,¹⁷⁰ and especially if you have anything to rely upon to build (your hopes) on that ground. I have therefore considered how I, likewise, could be of help to you in the matter, but see, I have only found one man here who has a direct correspondent to Ch. (= Copenhagen), and that is a certain rich

^{169f} The words added in brackets are supplemented by me, where literal translation of the Hebrew text would be difficult to understand otherwise.

¹⁷⁰ Mishna Abot IV, 3.

man, the Parnas of the Hamburg Synagogue here. This is the very man who in those days brought the Rabbi of the Hamburg Synagogue here,¹⁷¹ and he is still attached to him like a brother. I dare not disclose to this man even as much as a hair's breadth, for the family of H. Z. (Haham Zevi) will soon find one of their relations whom they will want to recommend there, and I must keep the whole matter secret. Here it is like in the land of the South,¹⁷² and nobody knows unto this day, except for those to whom I had communicated it as a great secret, that the Rabbinate of Ch. is vacant. However, I could not leave it at that and do nothing for you; and I have on Friday last written by post to R. Meir Hanover a letter, a copy of which you will find on the attached page. There lives here also a certain R. Moses Walich, who has written to his wife's stepmother, the widow of the late R. David Hanover, who is a native of Copenhagen. Also R. Zalman Hanover, the son-in-law of my cousin R. G. (Gershon?) Klef (Cleve), whose first wife was her sister, (and consequently) likewise a native of Ch.—he, R. Zalman, will surely stand by you (help you) if your brother-in-law R. M.(eir) Klef will ask him. Influential Hamburg people could, I think, do much, as Hamburg is like a suburb of Copenhagen. Probably you will get best help through people who have correspondents from there to here. As far as I personally am concerned I have nobody to whom I could write direct, unless I do it through those rich men whom I have already mentioned, and to inform these, I

¹⁷¹ Was responsible for his election. Hamburg Synagogue = Hambro Syn.

¹⁷² In Palestine they called far-off countries the 'land of the South'; cf. Isa. 30. 6 and 7; Dan. chap. 11, where Egypt is termed 'the south'; it also means 'a dry land'; cp. Talm. B. Temurah 16a.

fear, would even be harmful, instead of helping the matter. Others would not move (do anything) because it does not concern me personally. After consultation with my cousin the Parnas Aaron Goldschmid, he agreed [to my suggestion] and is writing by to-day's post to his sister's son Jacob, son of Mendele Kik in Hamburg. He (Goldschmid) tells me that this nephew of his is under obligations to him, being his correspondent unto this day, and in former times had great benefits from him. R. Aaron told me I should make a concept of what he should write, and he will copy it word for word. And so I did, and a copy of it is annexed to this letter. R. Aaron tells me furthermore that his nephew is a great merchant, and quite certain to have correspondents in Copenhagen. You need not think that the words of R. A. will only be listened to like 'wise words of a poor man'.¹⁷³ I wish that we both, you and I, had as much as he has, we would not be obliged to be Rabbis at all. As a matter of fact he is in the same honourable position as before. This is all I could think of doing on your behalf, and God must help. Still you have acted properly in writing to me. In these matters it is, as I had occasion to experience in the days when I endeavoured to obtain the Rabbinate here, as the saying goes, 'A small stone is also necessary to build a wall'; the chief thing, however, is the foundation on which the wall is built. Your suggestion that I should write to the [fol. 1 b] congregation direct, you cannot have meant seriously, and does not appeal to me. A few years ago there was a single young man from Ch. here, belonging to one of the rich families, and he came several times to my house. I thought (now) to renew an old acquaintance,

¹⁷³ Cp. Eccles. 9. 9.

as probably by now he would be married, and intended writing him whether he could do me a favour in this matter. In the course of the letter I might have mentioned that it is not usual to write to the whole congregation, but he was at liberty to show my letter to the congregation. I would have had an opportunity in any case to praise you at length before the community. However, after making inquiries among the members of my congregation from the people where he used to live while staying here, I heard that all his people had died after having lost their fortune, and they are now forgotten. So this plan has also fallen to the ground. In Amsterdam I am a stranger as far as letters go, just as regards Hamburg and Ch., and as for writing through an intermediary I have already said above that it would be more harmful than useful, so there is nothing more to add about what I have done. God, the Merciful, may grant us well being, and with all good wishes I conclude. Peace and life may you have from God according to the wish of your brother, Tebele C'z¹⁷⁴ Schiff.

My son the Baḥur (single man) Mose the Priest sends you his regards, he also has done something in the matter by copying the enclosed letters. Your sister-in-law, the virgin Mindle, also sends greetings, and would also like to help for good (= to achieve a good result in the matter).

To our venerable father you may tell of the prospect if you think it advisable to tell him of this letter.

¹⁷⁴ C'z = צ"ב, a Cohanite.

Letter II. Fol. 2 a.

Copy (of the letter sent) to Rabbi M. Hanover.

17 Adar, 5536.

Ever since I came to this country I have been contemplating how I could return to you, my dear relative, the good services you have done me by your recommendation at the time I endeavoured to obtain the Rabbinate here (in London), but I never found occasion for a *revanche*. I wish I would find some means (to show you my thanks) in whatever way it may be.

I have now, however, occasion to ask you for another favour similar to the one mentioned. I have heard the Rabbinate of Copenhagen is vacant, and my brother, the efficient Dayyan R. Meir Schiff of Frankfort, aspires to that position. As to his being worthy of the position, although I, as his brother, am disqualified to bear witness, it is beyond question, any one can tell you that he has acquired fame as a sound scholar in the religious codes and casuistics. I know that you, my friend, have great influence in the said community, your words are of weight with the honoured men of that town, and I ask you therefore, if I have found favour in your eyes and the idea itself also appeals to you, that you may kindly recommend my brother. Apart from the certainty that you will earn reward for it from Heaven and thanks from the people, you will also oblige me personally.

Although I cannot excuse myself sufficiently for troubling you with this, it seems to me a sign, as you my friend with God's help have been of great assistance to me in the appointment as Rabbi here, and through that my brother was elected in my place as Dayyan in Frankfort—perchance

it is the will of the Almighty that you should be His messenger in this affair likewise, to help him (my brother) obtain the safe harbour of that Rabbinate. I will not trouble you any further, but in conclusion ask you not to refuse to comply with my request, but to use your great influence (as far as you can). I shall in return be always ready to do you any service if occasion arises, and, as I have already said, I am already in your debt for the great service you have done to me personally, and with all my power I shall try to serve you to your best interest.

Letter III.

Copy of the letter of the Parnas Aaron Goldschmidt to his sister's son, the honoured R. Jacob Kik in Hamburg.

21 Adar, 5536. London.

... I have also a favour to ask of you, my dear nephew. I have heard, namely, that the community of Copenhagen intends to elect a Rabbi. There is in Frankfort a Rabbi, the Dayyan R. Meir Schiff, brother of the Rabbi of our congregation, my cousin Rabbi Tevele Schiff. That Rabbi is looking out for such a post, and has already many recommendations from influential people. He is indeed worthy of the position as he is a great Talmudic scholar, at home in that vast literature and of great intellect, and has also other great qualities. Although he has not been a (Chief) Rabbi hitherto, he is Dayyan in Frankfurt, and many congregations have elected Dayyanim of Frankfort as their Rabbis, as we did here, for our Rabbi, my cousin R. Tevele, was likewise only Dayyan in Frankfort, and still we have, thank God—as is known far and wide—done well in selecting him, may God prolong his days! To tell

you the truth, in those days everything was done through (by) me, because I had received a recommendation from our late uncle R. Johanan and, thank God, I succeeded, as it is known here in the whole community that practically I alone was instrumental in carrying through his election.

I should now like to do a similar service to his brother, my cousin the Dayyan R. Meir C'z, in helping him to obtain the Rabbinate in the said community. I have, however, no correspondent at present in that city, but you, my dear nephew, have very likely many good friends in Ch., and I would like you to do the same that I have done and take an interest in the matter by sending recommendations there. I can assure you that, if good results are achieved, you will only derive great honour from it, and I shall be very much obliged to you. Naturally my cousin, our revered Rabbi, will also be glad and ready to serve you in return for this favour; please do therefore your utmost, dear nephew, by direct recommendations to Ch. as well as through those of your friends. You will give me great pleasure and I shall be pleased to do the same for you.

Letter IV. Fol. 1 a.

London. Friday, New Moon of Ijjar, 5540.

Peace to my brother the eminent Dayyan Rabbi Meir C'z and to his wife, my dear sister-in-law, and to all who belong to them!

Your letter of Nisan the 8th duly received, and on the next page I have answered you in the halakic matter. It was not my intention to criticize you, but only to show you that I have perused your words from beginning to

end, and derived great pleasure from it on the last festival in seeing proofs of your clear mind and deep thoughts. To tell you the truth, in short notes like these we can continue to write to one another, but in more extensive and deeper subjects I am like 'in the land of the south'.¹⁷⁵ I have no colleagues nor pupils to study with, and even no one to whom I can talk on these matters when you write me anything, and cannot go into it as thoroughly as I ought to. Sometimes it occurs the other way, that I enlarge at length upon a nice 'Derush' (homiletic explanation) or a halakic point, and then I find it difficult to copy it all. I have found nobody to help me even in this respect. If therefore you or I will find some time or other a new point of interest (in our studies) we shall not deny ourselves the pleasure of communicating it to one another in brevity, and for the present we shall not discontinue to deal from time to time with the matter of the Gabbaim,¹⁷⁶ and settle this by frequent correspondence. We must not put it off and say, 'I shall learn when I have the time', although we find that even our Amoraim said 'We beg of you not to come to us at a certain time',¹⁷⁷ and although there is a difference between their case and ours, still there is a slight resemblance.

Now to answer your letter point by point. Our account is settled. I was surprised that you made an alteration

¹⁷⁵ Cp. Temurah 16a.

¹⁷⁶ Referring to R. Meir Schiff's dispute with Meir Rothschild. See above, and Appendix VII.

¹⁷⁷ Cp. Berakot 35b. Raba said to the other scholars, 'Do not appear before me in the days of Nisan and Tishri, so that you may not be occupied with your search for a living during the whole year'. R. Tevele asks his brother to settle his dispute as soon as possible, in order not to have to trouble about it later, and compares it to this Talmudic saying.

in my order and gave 18 ג' (=Groschen) to my brother-in-law H̱ayyim and deducted them from the amount I sent for the widow. If even what a poor man left over belongs to the same poor man and must be given to him, the more so he ought not to be deprived of that which has specially been sent to him, and by right you ought to refund the money from your own. I have, however, pity on you, and herewith order you to give 18 Groschen to the widow. Apart from the 18 Gr. you have already given to my brother-in-law on my account, please give him fl. 5 from me, and thus you will have laid out fl. 6. 12. The cheque from Vienna will probably have reached you by now. As regards the Rabbi of the Hamburger (congregation), all is at an end. From hour to hour he begged the community to allow him to remain; nevertheless they insist upon what they decided, to give him £50 yearly for life. He is leaving next week, and your astonishment still holds good, why I should have to do everything without being paid for it, apart from presents (מתנות) on Purim and Rosh-Hashana from those who were in the habit of remembering me on those occasions (I have no income from the Hambro Synagogue). As to weddings, it is now usual with them, in accordance with an order from their Board of Management, that the parents of the bridal couple have the choice, and can take either me or their H̱azan. As the H̱azanim—wrongly—flatter their congregants, I did not, during the whole of last year, perform more than one wedding ceremony, and that was on the occasion of the marriage of the daughter of R. Leb Tosca (טושקא), who is a friend and like a brother to me, a learned, respected, and very rich man, inquire about him of R. Moses Munk. This R. Leb and many

others of the respected men (of the Hambro Synagogue) think that in time the right to perform wedding ceremonies will fall exclusively to me, but at present it is still far from that. It may be that in time some newcomers will also send me presents at the periods mentioned (namely פורים and ר"ה), but a separate salary from that congregation is not to be expected. It might be that my community will ask the Hamburger congregation for a contribution towards the salary they give me, namely, the £200 a year, and according to my opinion they will be able to tear out of them £50, but of that not one penny will go into my pocket, but even with that I am satisfied because, as I have already written you, the salary of £200 I have from the congregation is insecure, and at every meeting of the Kahal they spoke about reducing the salary of the Rav and of other officials of the congregation, on account of the increase in the expenses and reduction of the income. In short, were I to write you many sheets full, you would still not understand the way of this town. You imagine London is a Kehilla (community). No! Far from it! Justly as you write, there are many things it is difficult for you to understand (find answers for), &c. I have understood your hint, and could explain all in a very simple manner to any one who knows the way of this town and about me (the nature of my position), but it is impossible to do it in writing. I swear (assure you on oath), So may I see plenty of joy, that I long to see you in joy and happiness here at my house, to speak to you personally and tell you all that is in my heart. I did not unintentionally write you to ask Moses Munk about R. Leb (Toska). I have spoken at length with him on the last Yomtof of this matter, when the said

(R. Leb) was at my house, and I did so in the presence of my son, the Baḥur R. Moses מ"ב, who is, like me, anxious to achieve this,¹⁷⁸ but he refused point blank (utterly refused), and the refusal of an old and wise man like him means building up, not destruction (= is meant well). I will, D.V., explain to you another time the parts of builder and housebreaker that were played between us, and enough of this for the present. I have spoken with the young man Moses b. Leb Zunz, and he told me he could not imagine that his stepmother and her children, his brothers, were not satisfied with the contribution he is sending them with the help of his brother in America. They probably have received what he sent them for the last Passover. Nevertheless, if his brother who is studying in Pressburg has any particular¹⁷⁹ request to make of his brothers he should write at length and enclose it with your letter. The young man Moses will then pay me the amount (he intends sending to his brother) when the letter is delivered to his hand. I could, if I knew what the request is, recommend the (fulfilment of) same, please God.

With reference to what you wrote about business for my son Moses מ"ב, that he should become *commissionnaire* (agent) for the great merchants (famous rich men) the brothers, sons of R. M. S. (Michael Speyer?) and their partner, I have made it my business to make inquiries in the matter, especially as you often wrote that I easily refuse all such proposals. I spoke of it to R. Jacob Rotterdam, who does a lot of commission business to your place, and especially for the well-known partners R. Leb Haas and

¹⁷⁸ Obviously the election of R. Meir as Rabbi to the Hambro Synagogue was in contemplation.

¹⁷⁹ Written פארטיקלאר.

R. J. Schuster, and we came to the conclusion that it would be worth while to be an agent for East Indian goods, but not for woollen merchandise. He does, it is true, do business even in these for the firm of the sons of R. Leb Hanau and his brother-in-law, but it does not pay, because most of the goods which the merchants from there (Frankfort) buy, they order direct by letter from the manufacturers in this country. What a *commissionnaire* sometimes sends there, he must have credit for (here) because all the goods are sold on terms of credit for six months or more; besides, there is the trouble of transit from the country to here and from here (London) to there (Frankfort), and nothing to be profited by it except the commission he gets from there. What you write about understanding (the business) is folly. The samples are sent from the country, the goods are ordered and they are sent according to the samples—some one has told you there a foolish thing that sometimes one might buy from a swindler! That might happen once in seventy years. If that occurs it can only be sold to some one who does business with Amsterdam, where he can find buyers for good and bad goods, but one could not send faulty goods to an established business man there (Frankfort). For this reason only some one who is used to exporting goods, woollen or East Indian, could become a commission-agent for woollen merchandise manufactured in England, he must be well known here as *commissionnaire*, like the said R. J(acob) or other people who are used to it.

Page 1 b.

If the young man Süsskind, son of Jacob Schloss, has already left, do not frighten his family. If, however, he

is still there, tell him that Leb Binga (Bingen) wishes to be remembered to him, and would like to add to the letter which he has by now received from him—dated here on the eve of the last days of Passover (20 Nisan)—that since a few days it is spoken of again that Parliament will put pressure (on Jewish travellers?) like last year, and he has the choice whether he will come here or not. In any case if he does make up his mind to come, he should see to it that in the passport he obtains from the government authorities there, should be said more than is usually said in a health-pass (certificate), and, if possible, should be added that he is a Schutz-Jude from there who travels thither as a merchant to buy goods. Please do not fail to let him have this message in full if he is still there, but if he has already left, your silence will be better than words, and God may bless his journey.

If he does intend to come here or has already left, I expect to receive the mantle through him, and if not (send it) without delay according to the order in my last letter.

I am waiting to receive on behalf of some one here from the Rabbi of the Province of Würzburg the sum of two hundred gulden or somewhat less, a legacy left to him. I have already sent to the Rabbi the receipt and letter of indemnity attested by me, and have at the same time ordered that the money should be sent to you for me, and that your acceptance of the same shall be regarded as if it were already received by me, if you give a receipt for the amount handed over to you, D.V. I herewith ask you that if such amount be offered to you, to accept it on my behalf and to give a receipt, and afterwards send it to me by assignment without a moment's delay, the full

amount—do not deduct the account which we have with one another. Send me a separate letter expressly in this matter. I shall get the postage refunded here.

Apart from this I will only repeat what I have already said, that you should try to settle the matter with the Gabbaim without hesitation, as well as the letting of the house, so that I should get it off my mind, and that you should be sure of what you get as reward for your trouble. Otherwise there is no more (news), only life and peace (may be granted to you) from the Lord and (wishes for the same) from me your brother who greets you and desires your welfare. Tebele נ"ץ Schiff.

My son the Baḥur Moses נ"ץ sends his regards, he was very pleased with the few lines in your letter which you addressed to him particularly. Your sister-in-law, the maiden Mindel, likewise sends her regards. Greetings to our brother Moses, to our sisters and their children. According to your letter I note the childish remark (שׁוּתָא רִינּוּקָא = children's talk, cf. Sukkah, 56 b) of your daughter Resche. When I send her something with M. Süsskind on his return, she will then have reason to say what she said. For the present I cannot think of what it should be (that I send her). The letter from R. Moses Munk, of last Purim, I received with thanks and send him regards.

Letter V.

London, 14 Elul, 5541.

He who gives life to the living may write and seal (in the book of life) for life my beloved brother the Dayyan (&c.) Rabbi Meir the Priest and his wife the lady Mathe and their daughter Resche. To all who belong to them Peace!

Your letter of the 21st of last month has reached me and I will begin with words of the Torah (and tell you) that you are right. I am not well versed in the laws of finance. Here the Tur Hoshen Mishpat and nearly also the Yoreh Deah and Oraḥ Hayyim¹⁸⁰ are negligible. Most of the questions refer to the Eben Haezer,¹⁸¹ as I wrote you long ago. At the first glance it would have seemed to me that you are right in every way. On going further into the matter I found other points, and have written you on the other page what occurred to my mind, please read it.

After Torah follows charity. I ask you to send on my account without delay :

To our uncle Rabbi Z. S. in Fuerth	11:00
Ten to your mother-in-law, a cheque for yourself sent by Bearer	25:00
To our brother Moses give in my name eighteen florins	18:00
To the wife of the late Moses Trumm and the wife of Moses Platen, who wrote to me through the young man Z. Oppenheim—to the former one R. Thaler and the latter one florin, together	2:30
To Giessen for the order of R. Abraham ben J. I sent to you eleven florins	11:00
For yourself and for R. Leb the Levite	25:00
To my brother-in-law Hayyim the Levite send on my account five florins	5:00
Total	<u>97:30</u>

¹⁸⁰ Parts of the four Turim, a ritual Code by Jacob ben Assher dealing with civil, dietary laws, and rules of prayer and festivals respectively.

¹⁸¹ The part of the Tur dealing with laws of marriage, divorce, &c.

From last year the account between us stands (as follows):

40 from the bill of Moses Bloch and 85 from M. Oppenheimer according to your letter of the 19th of Tammuz	43:36
From Jehiel Cohen after deducting netto eleven New Thaler for your trouble	<u>35:35</u>
	79:11

Out of this you have paid for me Assignment (cheque) to I. Altert (?)	28:45
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In accordance with your letter of Iyyar the 27th to our sister Esther	11:00
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On Sivan the 19th to the order of Abraham of Giessen	11:00
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To the Gabbayim (Managers of Poor- box)	26:20	<u>77:5</u>
		2:6

Out of the 97:30 is to be deducted according to your letter of the 36th day of Omer 2:6; remains owing to my brother fl. 95:24, and you will find enclosed an assignment, please let me know how much you obtain for it so that we can note one against the other.

After charity comes Divine Service, which means prayers and good wishes of David to our relative Isaac Speier, who celebrated the marriage of his daughter, (congratulations) to him and to his brother and son-in-law in my name. I have nothing further to add to my letter of the 22nd of Ab. His assignment of eleven shillings has not been presented to me yet.

Referring to your reproaches about Rotterdam, I have already written you that I have not seen any earnest (endeavour) on your part. Proof of it is that you have

not achieved any results there. Secondly, were it not for the unfortunate occurrence with the Rabbi of אנט"ש (Amsterdam), I wrote you already who can stand up against them. Thirdly, on account of the war between Holland and this country, the post does not come in regularly. I had just heard that the Rabbi L. of ה"ש (Halberstadt?) was not coming, when soon afterwards, by the next post, I heard that they had elected the Rabbi of Emden. They surely had an intention with this hurry, but enough of these excuses.

I enclose assignment of eight pounds twelve shillings on a certain Yomtof, son of Nathan of Livorno. This (man) is a correspondent of Rabbi Leb the Levite (סג"ל) from here. He sent him a letter, saying he would be there at the fair, so please inquire, he will easily be found and pay without delay. You may also tell him in the name of the said R. Leb that he wrote him there (to Frankfort) under his address. Being a correspondent of R. Leb the Levite you could invite him to your house out of respect, and speak (to him) well of R. Leb. One of the sons of R. Yomtof will also be there at the fair, and after the fair proceed to here, please send me (with him) half a dozen white cotton caps. Not striped with several colours but simply white ones. Also half a dozen handkerchiefs which keep good colour in washing. They must be washed and hemmed there. Do not look for cheap ones but for good quality, but not much white (in them) on account of the snuff-tobacco. Send me also the small book with the memorial sermon of the Rabbi of Prague about the Empress, he will not refuse to bring them here to me.

Apart from this I have no news to-day, and as I began (so I will close), may you be written and sealed (in the

book of life) for ever for life, you, your wife and daughter, our sister, our brother Moses מ"ר (the priest), and the sons of our sisters, also your brothers-in-law. These are the words of your brother who sends greetings, (the small) Tevele the priest. From me and my son Moses to R. Moses Munk greetings and New Year wishes. I received his letter; the lottery begins on Nov. 15, Falk can insure for him and I will be the supervisor for it (= take care of his interest) if he will send me the money in time. With regard to Gumpil May's affair I expect from you (to hear) what has been done in the Din (religious case) of his wife by the Rabbi or by the Beth-Din, also whether there was a decision on the part of the Government (Law-court) in the matter.

(Handwriting of Mindel Sinzheim):

I send many greetings and wish the dear family likewise a happy New Year according to their own wishes. From me, your sister-in-law and sister Mindel, daughter of the late Zalman Sinzheim the Levite.

Page 2 of the letter.

(Postscript by R. Tevele.)

With regard to the white caps, these and the handkerchiefs must be washed there on account of the duty payable here. Also do not forget in your answer words of thanks for Rabbi L. (Leb) the Levite and his wife and sons, assuring them of your best wishes. Leb, son of R. S. (Samuel), Pressburger of Vienna, has become engaged to the daughter of my relative R. Aaron א"ר (Goldschmid) from here. (Here one written line has been made unreadable by penstrokes.) If you, in your answer to me will

send him greetings and Masoltow (congratulations) you may do so.

Letter VI.

London, 14 Elul, 5541.

He, who lives for ever and remains for eternity, He may write and seal for ever for life my dear uncle the efficient Rabbi Meir ר"מ and his wife and daughter, Amen. May to all who belong to him be Peace!

The days of reckoning and payment have come, when we pay with our lips instead of with offerings, raise our voice to God that He may answer us on the day of grace and help us on the day of salvation, and I offer my prayers to God for him (you) and his house that He may impress on their heads the sign of life and bring to light their righteousness, lead them on paths of (life's) waters, and we may see in her beauty Zion the town of our testimony, the splendid place where wolf and lamb will graze together and not do evil any more, where they will welcome the reprimander in the gate and the speaker of truth and abhor the rebuke of the foolish man, and the one and only Shepherd will guard them, a righteous heart and new spirit will the Almighty give to all who revolted against Him, sinned and forsook Him, so that they will not err any more either to right or left, but He will make us firm and strengthen us, so may it be God's will, Amen.

I cannot refrain to inform you of the great honour we had in these days . . . (follows a private family incident).

What happened with R. Isaac the Hāzan I have already written you at length, that they have taken his crown from him and he may not stand any more in his holy place. Now, however, that the Atonement day is

coming, many stand up to say a good word for him to bring him back to his old position, saying the wrong he did was done on account of a man ("ן) Hayyim, who led him astray, and thus many plead in his favour. And as is usually the way in the Kehillot (= congregations) they took to the old doings (= ways) of their fathers, and what the one likes the other dislikes, this one says this, the other something else, and some say neither this nor that. As it is R. Isaac is still in prison and cannot move about like a free man, because he was made bankrupt, and according to the law of the land must have the majority of his creditors (namely, to consent to his liberation) whom he will scarcely bring under one hat (to agree to that). It is not an honour for the congregation, but outcasts like these are not to be found in any other town—and it is all in vain. It is only that leaven in the dough which hinders everything, it is that man who always creates strife and cannot sleep if he has not done some harm. But God helps the persecuted, and the advice was given by the congregation, that R. Isaac should take a large sheet and write what is called a Memorial, and bring this document as soon as possible to the judges. In this memorial they wrote that the congregation has reserved his position for him, and that he was really being punished on account of R. H. Now the time was pressing, he cannot help himself, and without him (the judge) nobody can raise hand or foot, and by his word only they can come and go, therefore he implores him that the mouth that has imprisoned may liberate again, &c. So far, his answer is still expected, and on his answer and wisdom the community relies. We shall see what he will answer, please God.

I will now close with what I began. God may send help to the righteous and be a shield for those who walk in purity. May He raise our lot and may life and peace come to you from God the living Master of the worlds. So will pray for ever your nephew Moses, son of the great Gaon R. Tevele Schiff. To all our family greetings and New Year wishes, especially to my aunts and their children, may God guard them, also my uncle Moses. I also send regards to your brothers-in-law L. and I. the Levites, may they likewise be blessed by God thousand times, Amen.

Letter VII (p. 1 a).

London, 22 Adar, 5542.

To my brother the Dayyan R. Meir, &c.

I have duly received your letter of Adar 6, and I have to repeat what I have already said: Leave off with this! It is impossible for me to help you, I have enough to do to keep myself. My income at present has diminished so far, that with difficulty only can I make both ends meet, and it is getting less every day. Were it not for the little (income) I receive in interest from Government Loan I could not exist, as the expenses increase on account of the war, the taxes are great and heavy, and for other causes. My salary of £200 is not being paid me punctually, and every moment I have to expect that it will be reduced. It is not, as you seem to think, that I am not on good terms with them, on the contrary, I have many of the leaders as my friends, who appreciate me and are anxious for my welfare. The gist of the matter is, and I am surprised at you, how do you imagine to be able to understand a place which neither you nor your forefathers

knew. As little as anybody in another land understands this war, the ways of the Parliament and the powers of the king here—even what the papers will write there now about peace with America—as little will any one understand the ways of the Kehilla and anything about my income and expenditure. Who likes may believe it, and he who does not may forbear, and if there still remains some apprehension in your heart, which I hope will not be the case, I tell you: Far be it from you to sin in this way, and enough of this.

In the matter which concerns myself I must write you something remarkable. About a month ago I received a letter from the Rabbi of Prague and his Beth-Din concerning some business (religious matter), and among the (signatures of) the Dayyanim I found the signature of R. Levi Fanto, and gathered therefrom that he had not gone to Würzburg, and I wrote on the 17th of Shebat to the Parnas Moses Rofe, an acquaintance and relative of mine, who, however, had become (a little) estranged from me. The chief point of my letter was a request to let me know, as none of the three Rabbis elected by his congregation had gone there, whether the reason for this was that the income from the Rabbinate had become worse of late than it used to be in former years. I also wrote him that if he would tell me all the circumstances I would write him at length and draw his attention to some one who was willing to accept the Rabbinate, and whose appointment would bring honour to his congregation. I made an allusion to myself, and the contents as well as the form of the letter were written in very pleasing style and language, and I hoped to receive a favourable reply. On the Sunday, the 26th of Shebat,

however, came the news that the packet-boat which left here with the mail of the 17th of Shebat had been attacked and captured by the enemy, and the letters were thrown into the sea. I then said to myself—without intention of losing an opportunity—that it may be a sign (from God) that the letter was lost, and did not write again, but now when your letter came, in which, among other news, you wrote that the Rabbinate of Würzburg was still vacant, I said again that it might be a sign in the opposite direction, and I expect from you a full answer (to let me know) what you think and your advice without keeping back anything. With Almighty rests the knowledge of what is good for me and my son, for body and soul, everything else is only the commentary, go and study (think it over). If you approve of the idea I herewith give you permission to do with God's help the work of man, according to your power, and let me know.

I can easily answer your inquiry about the late David Fridland. Many years ago, when the Gaon Rabbi G(ershon) Chief Rabbi of Moravia,¹⁸² may his memory be a blessing, was still alive, I received a letter of recommendation from him, asking me to speak with the said David about the wife and children of his late brother Jeckl. I then wrote to the country place where this David lived, and he did according to my wish and sent, through me, an amount of money to Nikolsburg, and from that time dates my knowledge of the man and his lot. Some time afterwards arrived here the son of his brother Jeckl, whose name was Isaac. I sent him with a letter of recommendation to his uncle, but he did not help him much, according to what

¹⁸² R. Gerson Pulitz, Chief Rabbi of Moravia, 1753-72. See Kaufmann, *Gedenkbuch*, p. 379, and the literature given there in note 1.

he told me, but every time he assured him that after his death he would leave him an amount according to the law of heritage of the Torah. As David grew old and was nearly eighty, he became blind, his property was neglected and partly lost, and what remained was in very bad state (כנכסי רטושין), like abandoned property,¹⁸³ which nobody looks after, as he was here in a strange land without friends, and had never been married (added in the margin 'and was afraid he might be thrown on public charity'). He decided to give all he had to a rich¹⁸⁴ (אמיד) man in the country, and made an agreement in the Law Court with this man that he should undertake to give him all he wants (= keep him) as long as he lives, and after his death he should give a certain sum to his nephew, the said Isaac. In exchange for this undertaking he ceded all he had to that man, and lived afterwards for a few years. On his death the said Isaac had disputes with the man who declined to give him what he had undertaken to pay him in the said agreement, but as Isaac wanted to get married—as indeed he did marry soon after he received the money—he came to an understanding with him (and accepted a lesser amount). This is how it all happened, and since then it is like a stone thrown into a well to expect for any one of the relations any help from that legacy.

(Added later, and addressed to Isaac Speyer): I still owe an answer to my cousin the famous קצין, our friend R. Isaac Speyer, to his letter full of valuable information, which I received about a month ago, and I send greetings to him and all his people. What I mentioned in my first letter that he will do it without commission is not to be understood otherwise than (that I expected this) from our

¹⁸³ See Arakin 25 a.

¹⁸⁴ Verbally 'valued', viz. to be rich.

friendship for one another, because I know that he will use all his power to do either of us a good service, it is like, as in water, face answering face.¹⁸⁵ While I write it occurs to me (to mention) that he surely will not mind the trouble and inconvenience connected with it that I am sending to-day to my brother, our friend R. Meir C'z, a cheque of £7 on a certain man, who, however, might not be there at the next fair. I therefore request my dear cousin to give to my brother on my account fl. 75, and, as you have already given me credit for fl. 66, to assign the whole amount to me, and if you should have to pay to my brother the said fl. 75 to draw a cheque on me for both together of fl. 141, and to excuse the trouble I have given. I promised to write some news (אָנאווערנאָ?), and will mention that yesterday a great firm of bankers, namely Brown and Collinson, have gone bankrupt, and the public, Jews and non-Jews, have had great confidence in them. They had tens of thousands (of pounds) in hand, because, as is the custom here, they held cash deposits from the public, and now people are very anxious lest other cashiers, who are called bankers here (other firms will be involved), and it is feared that one friend will have another. For the present it is quiet, and it may be advisable to put on Rotterdam (lottery?).¹⁸⁶

To return again to our account. Enclosed is an assignment from R. Leb the Levite on Asher b. Yomtof of Livorno for the sum of £7; the latter left here about a month ago, and promised to be there at the fair, nevertheless, see what I wrote to my cousin (Isaac Speyer).

¹⁸⁵ Cp. Prov. 27. 19.

¹⁸⁶ This part of the letter is intended for Isaac Speyer; what follows is again addressed to his brother R. Meir.

P. 1 b.

Follows also an assignment from R. Jacob Rotterdam on the firm Jacob Hommel and partners for £7; let me know in your answer how much you received for it, also if the said R. Asher should pay you the £7, how much you received for that. In your answer tell me also exactly all your expenses for the Sefer Torah to the last penny, how much you paid to the Sofer (scribe), and how much to the corrector, so that I can tell R. Leb the Levite and settle with him; send me therefore the receipts from the Sofer and corrector.

The account between us is, according to my letter of 20th of Kislev, as follows:

Remained in your hand after paying the Sofer thirty florins	fl. 4:40
To this add the proceeds of the two assignments, or else the fl. 75 you will receive for the cheque on R. Asher. On the other hand I have to pay you a further forty florins for the Sofer apart from corrector's fee	fl. 40:00
You have already paid to your mother-in-law, my sister-in-law, a cheque of fl. 11, and on Adar 19 I will assign for her fl. 25 (together)	fl. 36:00
Payment to you as usual every half year for yourself and R. Leb ז"ל	fl. 25:00
Ditto to R. Abraham Gissa (Giessen) drawn on you to-day	fl. 11:00
Ditto to send to our uncle R. Zekl ז"ל on my account fl. 11; and give to our brother Moses from me fl. 15 (together)	fl. 26:00
This makes, apart from the corrector's fee, a total sum of	<hr/> fl. 138

Please look into this account carefully and answer me punctually with a detailed account, as you know I am a great lover of orderliness. Concerning the sending of the Sefer Torah, R. Leb ל"ב tells me that, as he is very busy, he will entrust with it R. Asher when, as is probable, he will be there at the fair, and so it does not concern us any more. You may keep the Sofer Torah with you until you receive further order from me or from R. Leb to R. Asher.

That Abraham Emmerich has gone bankrupt seems to me like a firebrand in a cedar.

I am, however, not familiar with the circumstances of the merchants there, and only in one case I require to know the standard of the people, and that is with reference to the eminent people on whom I send you cheques herewith, namely, their fathers.¹⁸⁷

Enclosed is a letter for the wife of the late R. Leb Zunz from her stepson R. Moses, which is to be delivered into her own hand because there is a bill of exchange in the letter.

Zanvil b. Judah of Leinich (Leineck?) has had a letter now from R. Leb the Levite that he should call on you for fl. 11. When he calls pay him and obtain a receipt. These eleven florins are already accounted for between us in my letter of 20th Kislev.

This letter is dated 22 Adar, but I have written it a day earlier, as on the 22nd is the anniversary of the death of our late father, and I shall be weak on account of the fast and the sleepless night, and while I mention our father of blessed memory I am answering your words of Torah on the annexed page, which may be for the benefit of his soul. As I say there, I have only briefly answered your

¹⁸⁷ This reference is not quite clear.

question, and as chief subject I have treated my own question, seeing that you are engaged in the study of Tractate Baba Batra. I have, thank God, collected good notes on this tractate at various times (chiefly) when I taught in Worms, namely, answers to all questions which Tosafot ask on Rashi's commentary, and also on every other subject (in that tractate). I intended copying for you some of these novellae, but they are for the most part lengthy, and so I have only selected one and copied it.

With this I will conclude. Peace be with you from Almighty according to the wish of your brother Tevele C'z Schiff. My son Moses and your sister-in-law Mindele send greetings, in particular to your wife, my sister-in-law, maybe your sister-in-law Mindele will add a few lines herself. Greetings to our brother Moses and our sisters and their families.

(In Mindel Sinzheim's hand): Dear beloved sister, I was very, very pleased to hear that you are again in good health, may Almighty God grant it to continue thus, until a great age. This is the prayer of your sister Mindel, daughter of the late R. Solomon Sinzheim the Levite.

To my brother in-law likewise, and especially to my niece Res'che, to my brother Simon, and naturally also to brother Joseph, greetings. I assure you all that no one is more anxious for the welfare of the family than I, although I can at present only express it in words. May God help me to be able to prove it soon personally there (in Frankfort). This is an answer to sister Mate's latest letter.

Letter VIII.

London, 20 Elul, 5582.

(Page 1 a).

He who forms the destiny of man like clay may write into the book of life for life my dear brother the Dayyan Meir, &c., his wife and daughter, &c.

Last Tuesday your answer reached me—the date is missing—to my letter of the 12th Ab, and referring to what you mention therein of your own affairs, and that our cousin the charitable R. Isaac Speyer has done your wish, I enclose on the other side a letter of thanks to him for all the trouble he has taken in my interest. My opinion about the matter itself I will tell you here, and my words are addressed also to him. You wrote that the aspect of the congregation is changed, and I am sorry for the place and the graves of my Fathers. As to our own affair, you write that many members of the congregation have left and taken up their abode in some neighbouring place. Maybe I should have done the same had I lived there at present, nevertheless, evil times are bound to be over some time, and so I feel it my duty to see that our right in the community should not be interrupted for the generations to come. I will now refer to your words one after the other: you write that the children (heirs) of R. M. Scheyer have all signed already—it is necessary to inquire after those who live in other congregations but have the right of domicile there. R. J. Kulpa, you wrote, has already signed, that is well. That Lima b. Zalman Haas will naturally sign seems to me likewise very probable; in any case it is not too late. R. D(avid) Kassel, the son-in-law of the wife of R. Z. K., you say, will not and

must not sign; in course of time, however, there is no doubt that he will sign. (This remark) does not please me, because who knows what happens in the meantime. As to that well-known cruel man (who suggests) that his brothers should sign a pre-dated bill in favour of the joint firm—falsehood will not prevail, especially as his inclination is too strong, as is well known his way is to begin strife. The more likely is he to do so, if one were to prove to him his dishonest words, then he would at once start a law-suit in his anger. You never mentioned Henle Kulpa. I believe he was also a debtor at the time when the community allowed you (your debt) on account of your right (of residence) in the community, (and) the debt of my late brother-in-law, R. Z(alman), was paid off, or, I am not sure, on your own account alone. After all, although your words are full of sagacity and piety, the Mizwah would be great (if a result were achieved), and it were better to keep quiet so that this poor woman should not be wronged as time goes on. What shall I further question you, our Father in Heaven has decreed that I should have a different opinion to yours in this, and as the proverb says, 'fear cannot be talked away'. In spite of this we have in these days come nearer to one another in thought and deeds than (we were) for many years. Let this be now a rule between us, please God, to have in future frequent correspondence in the rôles of builder and house-breaker (=discussion *pro* and *contra*) in this matter, and 'he who wants to purify himself receives help from Heaven'. May God help us for good, I am sure that you will not neglect this and do all you can, as I am most anxious to settle the matter favourably.

Enclosed is an assignment from R. L(eb) K... to Asher

b. Yomtof of Livorno of seven pounds sterling; it is dated already from July because that gentleman left town at the time and will not return before close to the festivals, and he left the assignment with me to collect the amount. Please let me know how much you received for it.

Out of this I have assigned to your mother-in-law in the name of the bearer of assignment on 10 Elul	fl. 25
17 Elul, drawn upon you to the order of Abraham Giessa	fl. 11
To our brother Moses give in my name	fl. 16
To our uncle R. Z. S. in Fürth send in my name	fl. 11
For yourself and for R. Leb the Levite thirty florins, which includes an addition of five florins for your trouble in connexion with the Sefer Torah	fl. 30
For the wife of Moses Platz and the wife of Moses Trumm and the daughter of Moses Trumm together, equally divided between them, for each 2 Gr.	fl. 2
Total	fl. 95

A few weeks ago I received a letter from R. M(eir?) b. S. the Levite, and in the postscript his uncle Hirsch Haas assured me that he will stand by you, and it need not be mentioned that R. M. himself and his brother will also stand by you. R. Madl wrote to me that he, as well as his uncle, will speak to R. Jacob Kann, but nevertheless he advised me in his letter that I should personally write to R. J(acob) K(ann) as he might hear that I wrote to his brother-in-law Hirsch and not to him, and might be offended. After I have written to R. J. he will support me by speaking to him. I have done so to-day, and written at length and with special emphasis my request to R. Jacob Kann, and have enclosed it with the letter

which I sent to R. M. to-day, and reminded him to fulfil his promise. Kindly note this.

As to the Sefer Torah, I have received a letter from Romburg of Ostend that he handed it over to the shipper three weeks ago; it has not arrived yet, but is due any day now.

With reference to the happenings in Berlin, all about the Rabbi's departure from there is known here, and I have seen a copy of the letter which he left before he journeyed from there with instructions to open it six days after he left the town. According to what I hear he is now in Vienna, and from the letter it appears that his intention is to emigrate to the Holy Land. I have also seen the copy of a letter from the Rabbi of Lissa to the Rabbi of Amsterdam, as well as the copy of a sermon delivered by the Rabbi of Lissa in this matter, where he condemns R. H. Wesel (Wessely), and the letter which he printed. The sermon is in very pure language, full of pious and wise words, careful not to offend the majesty of the Emperor. From the letter and sermon I gather that they did the same in Posen, and in Wilna they burnt R. H. Wesel's letter outside the town by order of the famous Gaon Elijah.^{187a} Mention is also made there that the Rabbi of Prague at first preached against it at Prague, now, how-

^{187a} Cp. Güdemann in *Monatsschrift*, 1870, pp. 479-80, and Wessely's own letter in *Kerem Hemed*, vol. I, pp. 5-6 and *Kobez-al-Jad*, vol. X, p. 75. Wessely himself mentions in *Kerem Hemed* the Rabbi of Posen, 'son-in-law of the Rabbi of Prague', the Rabbi of Lissa, and Rabbi Elijah Ḥasid of Wilna, as having issued a Ḥerem against him. The Rabbi of Lissa was R. David Tevele Horochow, a native of Brody, about whom cp. Lewin, *Gesch. d. Juden in Lissa*, pp. 195 and 200. The Rabbi of Posen was R. Joseph, known as 'Hazaddik' ben Pineḥas, son-in-law of R. Ezekiel Landau. Cp. Perles: *Gesch. d. Juden in Posen*, *Monatsschrift*, 1865, p. 261. Rabbi Elijah of Wilna is generally known as 'The Gaon of Wilna'.

ever, he is obliged to remain quiet in public, and is working quietly to arouse Rabbis of other famous congregations. After all this it is easily understood that the Berlin Rabbi could not remain in his congregation, and was obliged to leave. If it were possible to send a copy of the declaration issued there I should be pleased to receive it. I will now close in the way I started this letter, may He who dwells in Heaven write you in the book of the righteous for ever for life, may life and peace be with you from Almighty according to the wish and prayer of your brother Tevele C'z Schiff.

As you wrote I should not let anybody write on my letters, I have not allowed your sister-in-law, the maiden Mindel, to write; she wishes you all a happy New Year.

Page 1 b.

(Moses Schiff to R. Meir Schiff.)

Fulfilling the yearly custom at a time when every man in Israel raises his voice praying that happiness may be his lot in the New Year, I send you and all yours greetings from the distance. May the coming year be a happy one in peaceful enjoyment of happy dwellings, may your days be as numerous as the sand on the seashore. This is my priestly wish which God may fulfil, adding to it a thousand times more, your nephew who is always ready to serve you, Moses, son of the great Rabbi Tevele C'z of Frankfurt-on-Main. To your wife and daughter, to my aunts and their families, and to uncle Moses greetings and good wishes.

In that certain matter my father, the Rabbi, has written you his opinion, and I have no doubt that you will do all you can to bring it to the desired successful issue, and your reward from Heaven will surely not fail to come.

Letter IX (p. 3).

London, Friday, 20 Elul, 5542.

New Year's greetings, &c., . . . to my dear relative . . . R. Isaac, his wife and children, may they all be blessed by God who will confirm the priestly blessing!

How can I thank you sufficiently for all the kindness you have shown to me and to my son during this year. From the worthy has come good, namely, a good beginning in the business, and I have no other power but my words (no other way of thanking you), and I raise my voice to God: Oh, give good reward to that good man, give him name and fame and inscribe him to happy and joyful life, may he rejoice in the welfare of his offspring for many years in Torah and fear of God, in riches and greatness. This may be the will of God in Heaven.

Forgive me that I have not followed your advice, although it was not like that of a man young in years, but like the advice of an elder. I have written on this matter at length to-day to my brother our friend R. Meir C'z, point for point, and it will suffice for both sides (= is meant for you also). It is not right to refuse to listen to a great man like you, and for this reason I have written (what I want to say to you) to my brother, who is a few years younger than I am, and he will explain matters to you^o in pleasing manner, why it is that I refuse to listen to you although you have taken such great trouble in our interest. I rely upon your friendship and meekness that you will not, even for a single hour, take it amiss, and put aside the true love which we have for one another. On the contrary, I rely upon it that you will be able to settle

the matter with God's help for our benefit. With reference to the legacy of the children of the late R. Leb Klef here, it is still in abeyance whether they will win the case relating to the estate of their grandfather, and even if they do win it, I cannot see a way of obtaining anything for the debtor of their father, as I think that the law of the civil court is the same as our law, and a thousand difficulties are placed in the way of one who makes a claim in his grandfather's right. But time will bring the result, and I will write you further after I have made inquiries from people who are familiar with the civil law. I need not assure you that I will do all in my power to advise you in this, and shall not hesitate to serve you with all my might. Apart from this I have no news. May God bless you with peace and look down at you on the coming New Year day in mercy and kindness. This is the prayer of your cousin who is always ready to serve you, Tevele, son of the late R. Zalman Schiff of Frankfort, Rabbi in London and the Province.

To your brother and son-in-law E. Z. and all who dwell with him I send greetings, may he too be remembered (by God) for good and his years continue, his honour and greatness increase.

(In Moses Schiff's hand): Youths ought to be hidden and not stand before the great and wise men, but you, Sir, have shown to your servant your greatness in assisting the weak. May my prayer be my thanks and bear result, for my pen is not able to write down the immense gratitude I feel for you. I beg of you that if occasion presents itself to remember me again (to put business in my way), and may God Almighty inscribe you into the book of the righteous for a long and happy life. This is the wish of

your servant always at your command, Moses, son of the great Rabbi Tevele C'z Schiff of Frankfort-on-Main. To your brother and son-in-law, the learned R. E. Z., greetings and best wishes for the New Year.

(Address on the outside of the sheet):

Herrn Maÿer Sallomon

Schiff Jude gegenw. in

Frankfurt am Maÿn.

REMARKS ON 'EARLY KARAITE CRITICS OF THE MISHNAH'

UNDER the above title Hartwig Hirschfeld published and elucidated two Karaite manuscript texts in this REVIEW,¹ yet the title does not correspond exactly to the contents of the texts. The latter are not at all a criticism of the Mishnah, but rather Karaite attacks on the rabbinic construction of various legal precepts, such as we meet with in many other Karaite works. The Mishnah serves only as a substratum. To prove this assertion I propose to analyse these texts minutely.

I.

The first text, hitherto unknown, is particularly interesting, both on account of its contents and its form. It is a fragment of a Karaite anti-rabbinic polemic, in which the following points are argued :

(1) The invalidity of the *deḥiyya* לא זב"ר פורים (fol. 37), which is proved from the Mishnah Meg. I, 2-6, where it is expressly stated : חל להיות יום י"ד בשני . . . חל להיות . . . ברביעי . . . חל להיות בשבת. Thus the very first point shows that we are not dealing here with a criticism of the Mishnah. Curiously enough, the Karaite author adduces also the continuation of the Mishnah, I, 7-9, which evidently has nothing to do with the subject.²

¹ JQR., N. S., VIII, 157-88. Owing to the World War this part of the Quarterly reached me only recently.

² At the same time our author exhibits two omissions through homoio-teleuton, namely, fol. 37 vo. at l. 7 : one line added by Hirschfeld after [בשני ובהמישי אבל מקום שאין נכנסין] (not מכניסין), and at l. 8 : two lines after קוראין אותה, which he failed to complete [אלא בזמנה]. [קראו את המגלה באדר הראשון ונתעברה השנה קורין אותה]. These omissions may be due to the copyist, but if we accept with Hirschfeld that this is an autograph, then the author himself is responsible for them.

Then again: *ובחלכות אומ' הקורא במגלה הכתובה בין הכתובים לא*: As the source of this citation Hirschfeld indicates Talmud Meg. 12 b (should be 19 b), and believes that under *הלכות* our author means the Gemara (see further below). But in the Talmud this passage sounds differently: *הקורא . . . לא*: *יצא ומחו לה אמוחא בציבור שנו*, similarly in *Halakot Gedolot*: *הקורא . . . לא יצא . . . והני מילא בציבורא*. Thus the words *ירי* are wanting in both places, but they are extant in the *Halakot Pesukot* (ed. Schlossberg, p. 11), and the latter no doubt served our Karaite author as source.

The nullity of the *deḥiyya* *לא זב"ד פורים*, identical with *לא*, on the basis of the Mishnah,³ occurs also among other Karaite writers, as e.g. Hadassi (*Eshkol Hakkofer*, alphabet 184, ש ff.): *כי פסחים יחולו בבד"ו עבפרקא*: *מגלה אמר כשחל פורים בא' בשבת . . . כשחל פורים להיות בשני בשבת . . . וכן כשחל להיות בשלישי בשבת כן וכן ובחמישי ובששי בשבת כן . . . מכיון שאפשר יום כפורים (הפורים r.) לחול בכל ימי השבוע*. Then in Aaron b. Elijah (*Gan Eden*, fol. 6 d): *אף כן לעומתו יום הפסח יחול בכל ימי השבוע וכו' אופן שביעי הוא אמרם מגלה נקראת*: *ביומה אשר הוא בי"ד באדר אמרו אם היה יום הראשון היה דתו כך וכך ואם היה יום השני היה דתו כך וכך וכולל כל ימי השבוע וזה סותר*. In addition, these two authors, and especially Salmon b. Jeroḥam in his manuscript polemic against Saadya (chaps. 4-6), adduce a number of other passages from which results the voidness of the *deḥiyya*, namely, Mishnah Pes. VII, 10: *העצמות והגידין והנותר ישרפו בששה עשר חל ששה עשר להיות בשבת*, hence Passover occurred on a Friday;⁴ *Hag. II, 4*: *עצרת שחל להיות בערב שבת . . . ומודים שאם חלה להיות בשבת*: *שיום טבוח אחר השבת וכו'*, hence the Feast of Weeks fell on

³ So the words of our author are to be understood (fol. 37 vo. end): *וכל ומהנה נבטלו לא דבר (זבד r.) פורים וכל לא ו[ל]א*, i. e. probably *לא בדו פסח ולא אדו ראש*, or something similar.

⁴ Comp. hereon the passages from Ḥananel b. Ḥushiel's commentary of Pesahim adduced by Geiger in *Jüd. Zeitschrift*, VI, 149, also Abraham b. Ḥiyya's *ספר העבור*, p. 59. In addition, with regard to all quotations here given, see *JQR.*, X, 271 f.

הל יו"כ להיות בשבת . . . חל להיות : 10, XI, Menahot; a Saturday; therefore the Day of Atonement fell on a Friday: Shab. XV, 3: חלבי שבת קרבין ביה"כ אבל : 3, XV, Shab. hence this day occurred before and after the Sabbath; finally Tosefta Sukka III, 1: לולב דוחה את השבת : 1, III, Tosefta Sukka; hence Hoshana rabba occurred on a Sabbath. Then Salmon quotes also the passage from *Seder olam* (chap. 5), which tells that the first Passover occurred on a Friday.⁵ It is not impossible that all these tannaitic quotations also existed in our author's manuscript before the passage from Mishnah Megilla. Now all these citations are directed against Saadya who, it will be recalled, maintained that the constant Jewish calendar with all its rules was of Mosaic provenance, and that all the contrary statements in the Mishnah are to be interpreted as referring to hypothetical and ideal but never to actual and real cases, that the expression חל להיות must therefore be understood in the sense of אם חל להיות: 'admitting that this holiday would occur on this day, such and such a law should be applied'. But

⁵ Some mediaeval authors state in the name of the *Seder Olam* that the first Passover fell on a Thursday (see Ratner, *ad loc.*); probably later generations took umbrage at its occurring on Friday, and changed the text accordingly. As a matter of fact the Mekilta, Pesikta, and Rabba, all have Thursday (see Ratner, *ibid.*). Moreover, the Karaites prove also from the Scriptures the futility of the *dehiyyot*, namely, from Ezra 7. 9 and 8. 31-3. From these verses we learn that in those days neither the first of Nisan, nor the first of Ab, nor the twelfth of Nisan, nor the fourth of Ab, could fall on a Saturday, and it follows therefrom, if the rabbinic calendar is correct, that then Passover could fall neither on a Saturday, nor on a Sunday, nor on a Tuesday, nor on a Thursday, and hence it fell either on a Monday or on a Wednesday or on a Friday. Thus the *dehiyya* לא בר"ו פסח is untenable. This evidence is found first in Kirkisani (see *JQR.*, VIII, 686), then elaborately in Salmon b. Jeroham's polemic tract against Saadya (ch. 4), in Hadassi (*Eshkol*, 185 ע-ב), and Aaron b. Elijah (*Gan Eden*, fol. 6 b-c), and was opposed vigorously by Saadya in many of his writings (comp *ZfHB.*, X, 46). Comp., on the other hand, Pal. Aboda zara I, 1 (fol. 39 b below), where it is said in reference to Neh. 9. 1, that the twenty-third of Tishri could not be a Saturday, for then the Day of Atonement would fall on a Sunday (see hereon Wiesner, *ירושלים*, p. 12).

already Isaac b. Baruch refuted this view of Saadya, and pointed out among other things that in the Talmud the occurrence of Hoshana rabba on a Saturday is stated as a fact. This serves the Karaites as a pretext to attack Saadya as a despiser of his own teachers, the Talmudists.⁶

Our Karaite author, towards the end of the fragment preserved (fol. 36 vo.), reverts once more to the question of *dehiyya*, and proves the possibility of e.g. פסח בכר"ו in a very peculiar way. Since the firmament was created on Monday, the luminaries on Wednesday, and the human pair on Friday, and since the first Passover celebrated in Egypt occurred on a Friday (see above), it follows that the Feast of Passover may fall on any one of these three days. It is difficult to find out what the creation of these objects has to do with the beginning of Passover. But here is still another extremely interesting passage: [וא]שר אמר ענן: כמוהם לא זאן פסח ולא אלף סוכה ו[דחה?] הפסח מיום השביעי והסוכה מהאחד וכו'. Thus 'Anan, the restorer of the lunar observation, agreed nevertheless with the Rabbis in their method and asserted that Passover can never fall on a Saturday nor the Feast of Tabernacles on a Sunday, while our author considers these two days feasible on the ground that the light was created on Sunday and that Saturday is a day to be kept holy.

Hirschfeld is quite helpless in the face of this passage, maintaining that he could find nothing of the kind in the extant fragments of 'Anan's book of Precepts, and he therefore proposes the emendation לא ואו פסח. Apparently he overlooked a fragment of 'Anan's book edited by Harkavy (*Stud. u. Mitt.*, VIII, 72) and myself (*RÉJ.*, XLV, 181) where it is expressly stated that when Passover falls on a Saturday the offering of the Paschal lamb is postponed to Saturday evening: ואם חל ונודמן ערבא דפסחא בערבא דשבתא אסור לן ליכוס פסחא וחגיגה ביה בליליה . . . ושרי ליה לינדחיה כמא דאי נודמן קורבנא דוב וובה . . . דוחין יתהון בתר יומא דשבתא הכי נמי דשרי ליגדחא קרבנא דפסחא די נודמנא

⁶ See Abraham b. Ḥiyya, *l. c.*, pp. 59-60, and *JQR.*, X, 271-2. In the same way Aaron b. Elijah (*Gan Eden*, fol. 5 b) סעדיא התל לרבבותיו וכו'.

בשבתא. According to 'Anan בין הערבים signifies 'after the setting of the sun', but the offering of the Paschal lamb does not set aside the Sabbath, as little as e. g. circumcision, which likewise, in case the eighth day occurs on a Saturday, is performed after sunset, for the term בין הערבים is construed both as part of the passing and part of the beginning day (Harkavy, *l.c.*, 77).⁷ 'Anan, it is true, speaks only of the postponement of the Paschal offering and not of the postponement of the Feast of Passover, but Kirkisani informs us about 'Anan distinctly (Sect. I, ed. Harkavy, p. 313, l. 16): ואזא וקע יום כמסא עשר פי ניסן יום אלסבת: 'and דפע אתכאד אלעיר אלי יום אלאחר אלדי הו יום סתה עשר 'and when the fifteenth of Nisan fell on a Saturday he postponed the Festival to Sunday, i. e. the sixteenth', hence also the Festival was postponed.

With regard to postponement of the Feast of Tabernacles, we read in Kirkisani immediately after the above-quoted words: וכולך פי אלסבת 'and likewise with the Feast of Tabernacles', without specification as to the day and without further explanation and justification,⁸ but the latter may be obtained from later Karaite writings. What surprises us most is that 'Anan mentions the Feast of Tabernacles and not the New Year, which always falls on the same day; but here the following consideration is of importance. In Karaite literature search is made after a verse to justify the commandment about the building of a booth (for בסכות תשבו only enjoins to dwell in tabernacles), and this was deduced from the verse ולקחתם לכם ביום הראשון, which, as is

⁷ For more details see my article in *REJ.*, *l.c.*, 176 ff.

⁸ Probably Kirkisani had this in the ninth section of his work, the section dealing with the holidays. In the sixth chapter of the first section (ed. Harkavy, p. 304, l. 5) Kirkisani says of the Sadducees that they did not count the Sabbath either on the Passover or on the Feast of Tabernacles, and that they grounded this proceeding on 1 Reg. 8. 66, where it is said that Solomon dismissed the people on the eighth day of the Feast. This day could be the 23rd of Tishri (see 2 Chron. 7. 10) only if the Sabbath was not counted. But here the reference is to the Sabbath within the Feast in general, whatever day of the Feast it may be.

well known, the Karaites refer to the booth: Take unto you the four plants in order to make a booth out of them. However, ביום הראשון cannot mean 'on the first day', since then we would not be dwelling full seven days in the booth, and again the erection of a booth on a holiday is forbidden as labour. Therefore ביום הראשון must necessarily mean 'before the first day', probably at the end of the day of preparation, i.e. on the fourteenth, approximately before the approach of the evening, unless the time does not suffice, in which case we must begin building earlier in the day, or when the fourteenth falls on a Saturday, in which case the booth can be put up even earlier (about the thirteenth), see Bashiatschi, *Adderet*, סדר חג הסוכות, בעת עשיית הסוכה . . . מצאנו בכתוב טעם הבי"ת כטעם קודם: ch. 2: כגון בי"ת באכלכם מלחם הארץ וכן טעם בי"ת ביום הראשון ר"ל קודם היום הראשון כי כתוב בסוכות תשבו שבעת ימים וראוי להיות הימים שלמים ועוד שאי אפשר להעשות במועד אף על פי שהוא דבר מצוה. ומהם פרשו הבי"ת בי"ת הקרוב כטעם ויהי בהיות יהושע ביריחו וכן ביום השבת יערכנו הכהן אשר הוא תחלת הערב הראשון ואמרו שראוי האדם בדעתו שלא יוכל לעשותו סמוך לערב ויעשהו קודם אין חשש וכן אם יהיה יום י"ד בשבת כמו שיקרה זה בקצירת העומר וזולתו. סוף דבר עשיית הסוכה ראוי להיות ביום ארבעה עשר: Then also: (comp. also *Gan Eden*, fol. 65 c). Later Karaite sources dealing with the subject and accessible to us do not exhibit this opinion of 'Anan. It is very likely, however, that he insisted that the booth should be erected on the fourteenth, and when this day fell on a Saturday he postponed the Feast to the sixteenth. By analogy with the Feast of Passover and in view of his other eccentricities in interpreting biblical precepts it is not surprising that 'Anan should have ordained, in spite of the express statement of the Bible, that the Feast of Tabernacles should begin on the sixteenth. 'Anan's opinion was not merely a theory. We know from Kirkisani that some Karaites followed the 'Head of the Exile' in adding one day to the Passover as well as to the Feast of Tabernacles, while others added a day only to Passover and not to the Feast of

Tabernacles^{8a}. It goes without saying that this day was added when the first holiday fell on a Sabbath.

(2) The second attack of our Karaite (fol. 38–39 ro.) is directed against the Mishnah Rosh hashanah I, 4. 5. 9 and II, 7. 8, where the messengers dispatched and the witnesses arriving to fix the beginning of the month are permitted to desecrate the Sabbath, and where the well-known conflict between R. Gamaliel and R. Joshua concerning the Day of Atonement is set forth.⁹ Our Karaite sees therein a violation of the biblical prohibition which decrees death for the desecration of the Sabbath,¹⁰ and likewise a disregard of the commandment in Lev. 23. 4. Other Karaite authors, like Hadassi (*Eshkol*, 184, 8ff.)¹¹ and Aaron b. Elijah (*Gan Eden*, 7 a), quote these passages, but for an altogether different purpose, namely, to remark that in ancient times the new moon was fixed on the basis of lunar observations. Aaron also adds that Saadya refuted these proofs through the assertion that while some people fix the new moon by observation Israel as a whole does it by calendar calculations.

(3) The Mishnah Rosh hashana IV, 4 serves our Karaite (fol. 39 ro., l. 6—39 vo., l. 2) as proof that in the conception of the misleaders,¹² i. e. the Rabbis, the new moon may fall on two days. I fail to find this Mishnah quoted in the works of other

^{8a} Ed. Harkavy, p. 318, l. 8: ומנהם מן תאבע ראם אלזאלות פי כביסה: אליום פי אלפסה ואלסכה גמיעא ומנהם מן תאבעה עלי דלך פי אלפסה ולם יתאבעה פי אלסכה.

⁹ But also here our author quotes the Mishnah II, 8, which has nothing in common with the theme treated by him.

¹⁰ כל אלה תחליפות מחלליה מות יומת. 'opposites', recalls in form תחליף in the Hebrew Ben Sira (44. 17; 46. 12; 48. 8), but there it means 'compensation, substitution, substitute' (comp. also Kaufmann, *MGWJ.*, XLI, 337).

¹¹ The conflict between R. Gamaliel and R. Joshua is more fully told by Hadassi, alphabets 192 ט–194 י, with all kinds of amplifications which may have had their source in some apocryphal Baraytot, and of which I intend to deal at length on some other occasion.

¹² המרוחין instead of המדיחין (likewise fol. 40 vo. שלוח instead of שליח).

Karaite who contend against Saadya's proofs for the existence of two New Moon days.¹³

(4) Quite original is the criticism of Mishnah Rosh hashana IV, 9 (fol. 39 vo.-40 ro.), which is of a linguistic character. In the text of our Karaite there was here, as in some other manuscripts of the Mishnah (see Hirschfeld, p. 163), שלשה פעמים instead of שלש, and he attacks the Mishnah on the ground that שלשה is masculine (ושלושה בזכרים), as in Exod. 2. 2 and Gen. 18. 2, while פעמים requires שלש, as proved by Exod. 23. 14 (but here we find שלש רגלים and not פעמים, apparently our Karaite quoted from memory) and *ibid.* 34. 23. שלושה פעמים proves therefore a lack of knowledge of the Bible (לא כדעת) (יודעי דבר התורה). An anti-rabbinic controversy on philological grounds, if I may so express myself, is found elsewhere in the polemic treatise of Sahl b. Maṣliaḥ against Jacob b. Samuel, the pupil of Saadya, in which orthographic and grammatical errors, as well as incorrect turns of speech, are pointed out in the style of his opponent (see *Kaufmann-Gedenkbuch*, p. 181). But it is not impossible that our Karaite author aimed to attack the blowing of the Shofar, which his co-religionists have been known to reject, but did not get to a criticism of the Mishnah cited, as we shall soon see in other cases.

(5) The next attack (fol. 40 vo.) is directed against some alleviations with regard to Sabbatical precepts on the part of the Rabbis, as expressed in the Mishnah Shab. XVI, 6-8 and XXIII, 1. Our Karaite cites here the Mishnah only, without adding his criticism on it, but that is sufficiently clear from the mere quotation of the text. The reproach made against the Rabbis that they make light of the Sabbath and permit many things that are forbidden on that day, is a standing theme in the Karaite controversies, beginning with Kirkisani. The latter cites also the Mishnah XXIII, 1 adduced by our Karaite (שואל), (אדם מחבירו כרי יין וכו'), and refers Jer. 9. 5 to it (sect. I, ed. Harkavy, p. 287; then also in the second text edited by Hirsch-

¹³ Comp. on this point Mann, *JQR.*, N. S., IX, 141, where also Hadassi (*Eshkol*, alphabets 197 ה-ר) should be added.

feld, which will be discussed further below). It is cited also by Salmon b. Jeroḥam in his manuscript treatise against Saadya, chapter 14.

(6-7) The next two points (fol. 41) belong to the domain of dietary laws, dealing as they do with the enjoyment without slaughter of the after-birth (שליא), respectively of an embryo (שליל, among the Karaites גרצין or קבוט), and of the fat tail (אליה), together with the kidneys and the lobe of the liver (יותרת הכבד), which the Rabbis permit but the Karaites forbid. With reference to the first point our Karaite quotes the Mishnah Hul. IV, 10. 8; with regard to the second point, however, he adduces no text, but simply says: והאליה והכליות [ויותרת הכבד] אשר התירו. This is against the Torah, which forbids the enjoyment of these things in Lev. 11. 39 and 9. 19. It is well known that the relish of an embryo forms one of the points of difference between the Rabbis and the Karaites. The former permit it in accordance with the principle עובר ירך אמו, and even without slaughter (שהיטת אמו מטהרתו); nay, even the prohibited parts of an animal, such as the fats, the tendon, &c., are permitted in this case, in consonance with the rule בבהמה אותה תאכלו, that everything found in a purely slaughtered animal is allowed (see Hul. 74 a ff. and comp. in addition my conclusions in *Kaufmann's Gedenkbuch*, p. 176 ff.). The Karaites, on the other hand, forbid the embryo, since children not yet born are called בנים in accordance with Gen. 25. 22 and Ruth 1. 11, and therefore the prohibition of אותו ואת בנו (Lev. 22. 28) holds good here. But they go even further and assert that everything found in an animal, be it sperm or a piece of flesh or even water, is prohibited, and that this prohibition is likewise to be derived from Lev. 11. 39 (וכי ימות מן הבהמה). They probably interpret this verse in such a way that the death of one part of an animal reduces the whole animal to a carcass.¹⁴ In a similar manner the Rabbis

¹⁴ I found this verse applied to our prohibition nowhere else except in Hadassi (alphabets 308) : לכן הזרע או חתיכת בשר הנמצא ברחם : . . . הבהמה היא כמעוברת נחשבת יען כי רוחו מניה וביה והיא כנשחטת עם

differ from the Karaites with reference to the enjoyment of the fat of the tail, the kidneys, and the lobe of the liver, since the Karaites hold that all the parts which are burnt on the altar at the sacrifice are comprised under חֵלֶב, and hence are forbidden. Our Karaite proceeds to quote Lev. 9. 19, where all the three prohibited parts are mentioned consecutively in one verse.

Both these points of contention form another important theme in Karaite anti-rabbinic polemics. Already Kirkisani (sect. I, ed. Harkavy, p. 291) cites the contents of both Mishnahs adduced by our Karaite and claims that the Rabbis, together with the enjoyment of an embryo, permit also seven other prohibited substances, namely, a dead animal (since in their opinion the embryo may be eaten without special killing), blood, fats, אֹתוֹ וְאֵת בְּנוֹ, אֶבֶר מִן הַחֵי, שְׁחִיטַת נֶכֶר, and the tendon.¹⁵ Again, the enjoyment of forbidden fats forms one of the principal arguments in the polemic between Saadya and the Karaites, see *Gan Eden*, fol. 96 b: . . . וְרֹאשׁ הַחֹלְקִים הוּא סְעִדָּא הַפִּיתוּמִי אִשֶּׁר עֹמֵד לַחֲלוֹק כְּנֹגֵר דַּעַת . . . הַקְּרָאִים וְחִבְמִינוּ ע"ה כְּבֵר שִׁבְרוּ מִלְתַּעֲוִיתוֹ (comp. also *Eshkol*, alphabets 231-3, and *Adderet*, עֲנִין שְׁחִיטָה, chaps. 18-20).

(8-10) The last three points contained in our fragment (fol. 36 ro.) relate to the laws of purity. Our Karaite quotes first the Mishnah Nidda, III, 6 (הַמִּפְלֶת יוֹם אַרְבַּעִים אֵינָה חוֹשֶׁשֶׁת) (לולד וכו'), then *ibid.*, IV, 6 (הַמִּקְשָׁה בְּתוֹךְ שְׁמוֹנִים שֶׁל נִקְבָּה וְכו'), winding up with: וְאִשֶּׁר אָמְרוּ כָּל הַנָּשִׁים בְּכֻלָּל זִבּוֹת אִשֶּׁר לֹא צִוּנוּ: יִהְיֶה כֵּן חֲלִילָה לֹאֵל מִרְשַׁע וְשָׂרִי מַעוֹל. His objection to the Mishnah is not indicated in the fragment, as is the case in dealing with some other points of difference. With reference to the first

בָּנָה וְאִסּוּרָה עֲלֶיךָ: לִמְעַן כִּי נִפְשׁוּ וּרְחוּ בּוֹ וּבָבֵן חִשּׁוֹב וּמִשּׁוֹם אֹתוֹ וְאֵת בְּנוֹ לֹא תִשְׁחָטוּ וְגו' וּמִשּׁוֹם וְכִי יָמוּת מִן הַבְּהֵמָה אִשֶּׁר הִיא לָכֶם לֶאֱכֹלָה וְגו'. 'Anan, as is known, derived from this verse, in an exquisite way, the prohibition to kill an animal about to die (כּוֹסְכּוֹס or מְסוֹכְנֶת), see *REJ.*, XLV, 57-9; but already Daniel Kumisi and Kirkisani expressed their opposition to it, see *JQR.*, VIII, 685.

¹⁵ This number varies with different Karaite authors from 6 to 8. see *Kaufmann-Gedenkbuch*, p. 176, n. 1, where the reference to Hadassi (alphabets 239, ל-ג), who likewise has 8, should be added.

Mishnah it must be noted that in the opinion of the Karaites, if a human form is perceived in the abortion, the miscarrying woman is subject to the same law of impurity as a woman lying-in, and if in this form the male cannot be differentiated from the female the woman must remain unclean for eighty days (see *Gan Eden*, fol. 114 b), hence the state of uncleanness does not depend upon the days of pregnancy. The second Mishnah cited above expresses the opinion of the Rabbis that conjugal communion with a woman lying-in is allowed within the 33 or, as the case may be, 66 days, against which the Karaites protest violently (comp. Geiger, *Jüd. Zeitschrift*, I, 51; II, 27; *Nachgelassene Schriften*, III, 316, and קבוצת מאמרים, my edition, p. 89). Finally, with regard to the last point, it likewise forms debatable ground between the Rabbis and Karaites, the former allowing the menstruous woman to count שבעה נקיים, while the latter consider this obligatory only in the case of a woman afflicted with a flow, see e. g. *Gan Eden*, fol. 113 d: . . . והרבנים עצמם שבו ממה שגזרה התורה וממה שיש להם בהעתיקה ושמו כל הנשים בחזקת זכות שסופרות שבעה ימים נקיים ואין להם לא נדה ולא זבה קלה קטנה כפי דתם והם עוברים על מאמר לא תוסיפו על הדבר אשר אנכי מצוה אתכם ולא תגרעו ממנו. It is therefore unnecessary to emend with Hirschfeld כל הנדות into כל הנשים.

From our analysis it results that we are not dealing here with a criticism of the Mishnah, but rather with a fragment of a polemical, anti-rabbinic work. Next in line is to determine the time and the author of the fragment. As regards the time, Hirschfeld places it in the ninth century, supporting this view by the following two proofs: (1) the handwriting of our fragment is older than that of other manuscripts dating from 1004, 1019, and 1030; (2) the Karaites began to write Arabic in the tenth century, hence our fragment which is in Hebrew must be older than that. However, both these reasons are precarious. Assuming that the handwriting of our fragment is older than that of the above-mentioned manuscripts, then it should only be younger than the eleventh century, and could therefore date from the

tenth century. But, judging from the present state of Hebrew paleography, it is extremely difficult to determine exactly the time of a Hebrew manuscript (see on this point Marx in this REVIEW, VI, 176). Still less convincing is the second proof. It is true that the Karaites began to write Arabic in the tenth century, and the first known Karaite work written in Arabic is the *Kitāb al-'anwār*, composed by Kirkisani in the year 937; therefore if we have before us a Karaite work in Arabic we cannot place it before the tenth century. But the fact is that even after that the Karaites did not cease to write Hebrew. Thus, for example, Salmon b. Jeroham, Sahl b. Maṣliaḥ, and Yefet b. 'Ali, all authors of the tenth century, wrote simultaneously in both languages. Moreover, we have seen above that the point dealing with the *deḥiyyot* is directed against Saadya, and for this very consideration cannot date from the ninth century. Still, I also am of the opinion that it is quite old. First, because the tetragrammaton is written יהוה (fol. 36) and not יי¹⁶ as usual, and then because 'Anan is mentioned without any honouring epithet. In this way he is mentioned elsewhere only by Benjamin Nahawendi (משאת בנימין, fol. 2 c; comp. Harkavy, *Stud. u. Mitt.*, VIII, 127), although with the eulogy וצ"ל. But already Kirkisani, although he mentions him quite frequently by name only (e.g. sect. I, ed. Harkavy, p. 279, l. 10, 280, l. 17, 284, l. 24), yet in most cases he gives him the title ראם אלגאלות, i.e. exilarch. Yefet b. 'Ali quotes him once (*REJ.*, XLV, 186) by name only, but with the eulogy רצ"י אללה ענה, another time simply as ראם אלגאלות (*ibid.* 179), and then also as ענן ז"ל (commentary on Cant. III, 2, ed. Bargès, p. 42). Jacob b. Simon, the translator of Jeshua's ספר העריות, names him ענן ירחמהו אל (ed. Markon, pp. 100 and 104), but already Hadassi insists on naming him by title ראש הגולה נשיא ישראל (alphabets 23 ז, 147 מ,

¹⁶ The writing יהוה is found also in some epigraphs of Karaite Bible rolls and Bible codices from the Crimea (see Harkavy-Strack's *Catalogue*, pp. 26, 32, 99, 237, 238), but here there is no telling which is genuine and which is false.

236 ז). Our fragment therefore is a product of the eleventh, or perhaps already of the tenth century.

Hirschfeld also comes to a conclusion as to the identity of the author of the fragment. According to him, it is no other than Nissi b. Noah, whose name he even placed at the head of his introductory remarks on the fragment. As is well known, Pinsker identified Nissi with Aḥa, a reputed pupil of 'Anan, which still places him in the eighth century. Others, like Graetz, bring his date down to the ninth century. It was P. F. Frankel who believed he had established the fact that Nissi lived after Hadassi and made use of the latter's *Eshkol*. Now I agree with Hirschfeld that Nissi's dependence on Hadassi is far from proved, indeed, I believe I am able to establish quite the contrary. For Nissi says (in Pinsker, pp. 12-13) that the teacher must possess twelve qualities, the last three of which are as follows: והי' שידבר דבר דבור על אפניו ואל יקשה את לבו ואל יעיז את פניו; והי' א שיתבונן במצות במשפטים ובחקים ויהיה אין לעשות ולחקים; והי' ב שיהיה בקי במשנה בתלמוד ובהלכות וילמוד תוספות והגדות. Hadassi, too, enumerates these qualifications (alphabets 134 פ ff.), but here they amount to only ten in number, the tenth being as follows: כתם מעלה העשירית שיהיה בקי בכל תורות ובמצות וחקים ומשפטים ודקדוקי שאלות ותשובות להורותם ולהטעיםם ולשמרם אין ורץ יהיה תמיד לענין. Hadassi evidently omits altogether Nissi's tenth quality, while he combines the eleventh and twelfth into one, retaining their characteristic expressions (אין, שיהיה בקי). It is certainly easier to assume that twelve qualities may be reduced to ten by the omission of the one about the teacher being conversant with the Mishnah, Talmud, Halakot, &c., than the reverse. Especially so, since Hadassi is always set on number ten, as, for instance, ten promises to be fulfilled with regard to the Holy Land and Israel (129 ע), ten proofs for the authenticity of the Torah (130 ח), ten duties of pupils towards their teacher (134 י), ten degrees of dignity in Israel (135 ל), ten articles of faith, &c. All this is probably due to the fact that his book is based on the Ten Commandments, and this fundamental idea he may have derived likewise from Nissi. That Hadassi fails

to quote Nissi anywhere matters nothing, for he was not at all particular about naming his sources, referring to his Karaite predecessors with the general phrase *כי מספריהם נתעשרנו*.¹⁷ Thus Nissi lived before the twelfth century, and this agrees with Harkavy's discovery (mentioned in *Stud. u. Mitt.*, VIII, p. vii) that he lived in Persia about 300 years after 'Anan, hence in the eleventh century. What a pity that Harkavy did not communicate the text he discovered!

Thus neither Nissi nor our fragment belong to the ninth century. But nevertheless let us examine Hirschfeld's proofs for Nissi's authorship. The similarity between Nissi's autobiography, as Hirschfeld calls it, and our fragment is supposed to consist in the following three points: (1) Nissi recommends the study of punctuation, accentuation, defective and plene [in the Bible], as they are in vogue among the Babylonians (comp. Pinsker, p. מא . . . ולאלף נקודות : מא . . . שצריך האדם . . . ללמוד . . . ולאelf נקודות), and a goodly part of our fragment is provided with the Babylonian punctuation; (2) Nissi recommends the study of the Mishnah, Talmud, and Halakot, as well as the great and small Toseftas (*ibid.*: ולהבין במשנה ובתלמוד ובהלכות ובתוספות גדולות ובתוספות קטנות;¹⁸ see also above concerning the twelfth qualification of the teacher), and the author of our fragment occupies himself likewise with the Mishnah and calls the Talmud, Halakot; (3) Nissi considers it a good point that he writes in Hebrew (*ibid.*, p. 35: ביארתים [ר"ל את המצות והחקים] בשפה ברורה בלשון צחות בדברי העבריים), and also our fragment is written in Hebrew.

¹⁷ Comp. Bacher, *MGWJ.*, XL, 126.

¹⁸ Under great and small תוספות Nissi understands perhaps the Tosefta and Baraytot. In talmudic-midrashic literature the term מיניות גדולות is not wanting, e. g. Horayot end, as well as Kohelet rabba on 1. 5 and 2. 8. Right there occurs also the form תוספות employed by Nissi, so Pal. Peah II, 6 (fol. 17 a, l. 13 from below); Lev. r., ch. 22 and 30; Cant. r. to 1. 15 and 6. 8, &c. (comp. Lewy, *Ueber einige Fragmente aus der Mischna des Abba Saul*, p. 4).

However, these three proofs are hardly conclusive: (1) The Babylonian punctuation cannot be characteristic of any one author, since in recent times, especially among the Genizah fragments, more and more post-biblical texts are found with this punctuation;¹⁹ (2) all Karaites quote extensively from the Mishnah in their anti-rabbinic polemics, especially Salmon b. Jeroḥam in his controversy against Saadya and Hadassi in his *Eshkol Hakkofer*. Nissi does not call the Talmud, Halakot, since he says twice תלמוד והלכות expressly, thus differentiating them from one another. Nor does our author call it so, for the halakot which he quotes do not, as Hirschfeld asserts, designate the Gemara, but, as we have seen above, the Hebrew version of the *Halakot Pesukot*;²⁰ (3) still less can the Hebrew language of the fragment be a proof for Nissi's authorship, since Karaites, as pointed out above, did not cease to write Hebrew even after the commencement of the Arabic period.

Judging then from the condition of our fragment no conjecture is possible as to its author. Nevertheless we are thankful for its publication by Hirschfeld. Perhaps chance will yield us, among the treasures of the Genizah, further fragments of this quite old anti-rabbinic work, and then some of the enigmas attached to it may be unravelled.

II.

Still less does the title of Hirschfeld's article fit the second text published therein. This is the end of chapter 14 and the beginning of chapter 15 (الباب الخامس عشر) of a polemic treatise.

¹⁹ MS. Vat. 66 contains even a Sifra with Babylonian punctuation, see *JQR.*, N. S., VI, 179 and *OLZ.*, XXI (1918), 53.

²⁰ Since this version, as I have proved elsewhere (*REJ.*, LXIII, 235), had arisen in Palestine, we might assume that also our Karaite author lived there, the more so as Palestine was a centre of Karaite learning during the second half of the tenth and the first half of the eleventh centuries. But against this assumption stands the Babylonian punctuation employed by the author, if we accept the statement of Hirschfeld that the fragment is an autograph.

It appears that Saadya's deductions about the necessity of oral teaching and the rejection of analogy (قياس) were quoted in the former and refuted in the latter chapter.²¹ I was the first to call attention to this text (*Steinschneider-Festschrift*, p. 210), and then, what Hirschfeld seems to ignore, I published a considerable part of chapter 15 (*ZfHB.*, III, 175-6; comp. *ibid.*, X, 43 ff., and *JQR.*, VIII, 685). I proved on internal evidence the connexion between this text and the second section of Kirkisani's *Kitāb al-'anwār*. First, it is this second section that deals among others with the method of employing analogy,²² then the style and manner of expression are those of Kirkisani,²³ and, finally, all the references of the author to his previous deductions are found in the first section published in Harkavy. Comp. e.g. our text, ed. Hirschfeld (= Hi.), p. 187, l. 1: ومثل ما حكيناہ : ... عنهم في اطلاق نسج حيط وكتابة حرف وحرفين وغير ذلك ما ذكرناه وما سندكره فيما يستأنف and also ed. Harkavy (= Ha.), p. 287 below: ואנאזו אנ יכתב אלאנסאן פי יום אלסבת חרפא וחרפין . . . וכדלך אנאזו וכדלך : Hi. *ibid.*, l. 3; אנ ינסז אלחאיך פי אלחוב זיטא או זיטין אלך , ما ذكرناه من تحريمهم ان يحمل الانسان ريقه في فيه (فمه) (r) اربع اذرع וכדלך חרמו אנ יחמל אלאנסאן ריקה פי : Ha., p. 288, l. 21; وقد ذكرنا ما : Hi. *ibid.*, l. 6; جرى بين اليعازر بن هورقانوس وبين سائر الربانيين في ذلك الخلاف التبع and Ha., p. 299, l. 20, where the story about Eliezer ben Hyrkanos is told in detail (comp. also p. 283, l. 7); Hi., *ibid.*, l. 14: ... على انا قد قدّمنا ايضا ذكر ما ابطلوه من بعض الصلوات الواجبة : l. 14.

²¹ The beginning of the partly preserved chapter 14 may be reconstructed from the refutation in chapter 15, and indeed the refutation of this unpreserved beginning goes up to fol. 49 ro., l. 5. Apparently the Karaite, in his refutation, quotes Saadya's proofs almost verbatim.

²² The superscription of this section is (see *Steinschneider-Festschrift*, p. 196): אלמקאלה אלחאניה פי אינאב אלבחת ואלנטר ואחבאת חנה : (p. 196) אלעקל ואלקיאם.

²³ Of the numerous examples let me cite one, namely, that the Christians maintain God is a *جوهر* ثلاثة اقانيم, an expression that occurs in our text (p. 187 below), as well as in the first section, ed. Harkavy, p. 305, l. 21.

ומן דלך אנהם : 22 l. p. 286, and Ha., p. 286, l. 22 : وما اوجبه فما (فيما r.) لا يجب
 אסקטו אלעלאה מן ספר תהלות וזעלוה ממא אלפיה הם אלך. In
 addition, there is the passage about Abu 'Isā and Yudgān, &c.,
 quoted by me in *Steinschneider-Festschrift*, p. 219. All this
 evidence makes Kirkisani's authorship a certainty.

It is true that a later author of the sixteenth century, namely,
 Moses Bashiatsi, quotes a passage from our text and labels the
 author thereof יוסף הרואה ע"ה, i. e. Joseph al-
 Baṣīr. But I have pointed out that Bashiatsi confused al-Baṣīr
 with Kirkisani also in other places, and quoted passages word
 for word from the *Kitāb al-'anwār*, which he calls in Hebrew
 freely המאור הגדול (once also האורים),²⁴ in the name of
 al-Baṣīr (see *Steinschneider-Festschrift*, l. c.). This confusion,
 however, is manifested already in the chain of tradition which
 Mordecai b. Nisan, in his מרדכי, chapter 9, took over from
 the מטה אלהים of the above-named Moses Bashiatsi, and which
 goes back to Yefet v. David ibn Ṣagīr (first half of the fourteenth
 century). Here we find such blunders as the following (ed.
 Vienna, fol. 11 b): . . . והוא (ר"ל רב נח) העתיק לרב שלמה בן ירוחם :
 ולרב יוסף בן נח ולרב יעקב בן יצחק הקרקסאני . . . ובזמניהם היה רב
 סעדיה גאון ז"ל הפיתומי והוא היה תלמידו של רב שלמון בן ירוחם ורב
 יוסף השיגו ונמצאו יחד שניהם בזמן אחד והקשה עליו ר' יוסף והכריח
 לו בטענותיו כאשר מוזכר בספרו בספר המאור וחבר (שחברו r.) בשנת
 ד"א תר"צ ליצירה והם העתיקוה לרב דוד בן בועז . . . ולרב יעקב בן
 רב יוסף בן אברהם הבוצרי ולרב יוסף הרואה בן רב יעקב הקרקסאני
 והוא חבר ספר מצות גדול על כל הפרטים והדקדוקים יפה עד למאד
 והעתיקה לרבינו שלמה הנשיא וכו'. It is difficult to find oneself
 in this confusion which bristles with chronological impossibilities,
 but this much may be gathered that Kirkisani, who is named
 rightly in the beginning Jacob b. Isaac, is made a contemporary
 of a certain Joseph who polemised against Saadya in his ספר
 המאור composed in the year 930. By this Joseph, however, is
 meant Joseph al-Baṣīr who, as we now know, lived a century

²⁴ Thus the *Kitāb al-'anwār* is called ספר האורים also in the Hebrew
 translation of Levi b. Yefet, see Pinsker, p. 90 (incorrectly, *ibid.*, p. 193).

after Kirkisani, see the colophon of Elijah b. Baruch to his copy of Salmon b. Jeroḥam's polemic treatise against Saadya, MS. Pinsker 27³ (communicated in Bardach, מזכיר לבני רשף, p. 37): . . . וישטמוהו (ר"ל את הפיתומי) בעלי חצים ברורים ממשכילי בני מקרא רבים סלמון בן ירוחם רבו . . . וגם חברו של פיומי רבנו יוסף הרואה תלמידו של רבינו סלמון רבו בספרו המאור המחובר בשנת ד"א שש"ע (*sic*) לציירה וכו'. On the other hand, mention is made in the above-named chain of tradition of a Joseph ha-Roeh b. Jacob Kirkisani, the author of a great code of laws, who may be the well-known Kirkisani, known in later sources by the name of Joseph (instead of Jacob), but not al-Baṣīr, who was b. Abraham.²⁵ Even more confusing are the data in Simḥa Isaac Lutzki's ארח צדיקים. In the chain of tradition on fol. 21a, which no doubt is derived from that of Mordecai b. Nisan, Jacob b. Isaac al-Kirkisani is said to have taken over the law from Salmon and transmitted it to his son Joseph ha-Roeh, who composed the המאור הגדול in the year 910. But in the list of the learned on fol. 21b the following are enumerated separately: Jacob b. Isaac al-Kirkisani, then, two lines below, Joseph b. Jacob al-Kirkisani, and in addition also Joseph ha-Roeh ha-Kohen b. Abraham. In the list of Karaite writings again the אורים is ascribed to Joseph b. Jacob al-Kirkisani (fol. 23a), the המאור הגדול and a מצות ס' to Joseph ha-Roeh ben Jacob al-Kirkisani (fol. 24b), and likewise a מצות ס' to Joseph ha-Roeh ha-Kohen b. Abraham. Thus any one who in the fixation of older Karaite authors and their

²⁵ Possibly al-Baṣīr is meant by רב יעקב בן רב יוסף בן אברהם הבוצירי, רב יעקב having been formed from אלבציר, while רב יעקב is due to a misunderstanding of אבו יעקב. In his ספר עריות (ed. Markon in הקדם, III, 57-78) Moses Bashiatshi calls al-Baṣīr mostly רב יוסף בן אברהם הרואה, but once also רבי יוסף בן רב אברהם הבוצירי (p. 64, comp. with p. 73). On p. 67 הרואה רב יוסף הגדול is named together with an otherwise unknown רבי יעקב הגדול. I presume that here too the last named had arisen from אלבציר, and that Bashiatshi had divided one person into two from sheer ignorance. This is further proof for the confusion which is manifested in his writings concerning the older Karaite authors.

works relies on the data of their later co-religionists is sure to lose himself in a hopeless labyrinth.

In spite of all this, Hirschfeld follows the data of Moses Bashiathshi and ascribes the text edited by him to al-Baṣīr. His proofs against Kirkisani's authorship are as follows: (1) Some points mentioned in our text are found also in the first section of Kirkisani's work; why does not the author of the fragment refer to this section, but to detailed discussions which are to follow later? (2) Our text tells of Yudgān that he considered himself a Messiah, while Kirkisani states that he was so considered by his pupils only. (3) The tone of our text, in which some harsh expressions are used against Saadya and the Rabbis (p. 186, l. 4 from below: *ويجب على الفيومي ان يستحير من ذكر هذا*; الباب; p. 187, l. 9: *بل هو فضيحة عليهم براسهم*), does not fit in with the otherwise mild tone of Kirkisani, but rather suits a contemporary of Yepheth b. 'Ali,²⁶ who frequently employs such harsh and insulting expressions against his rabbinic opponents.

But all these proofs by Hirschfeld are not conclusive. Least of all the first, for, as we have seen above, the author of our fragment does refer to what precedes, and all this is indeed found in the first section of the *Kitāb al-'anwār*. But when he refers at the same time also to subsequent discussions, it is not at all surprising, for in the first section he treats all these subjects in a casual way only, dismissing summarily the divagations of the Rabbis and their false conceptions; the details, however, were reserved for a special section, and hence, for example, everything concerning the Sabbath was reserved for section V. That is why we read in section I, where he makes the above-mentioned reproach to the Rabbis concerning the prayers (p. 287, l. 3): *וסנסתופי הדא אלכלאם באלחנה פי מועצה*. Likewise, for instance, p. 294, l. 4, with regard to the search of the fresh ears of barley: *ואונבו טלב אלאניב . . . וסאחכי בעין מא פי כתבהם ממה יחבת אלאניב*.

²⁶ That al-Baṣīr was a contemporary of Yefet is not at all proved. The latter belongs to the end of the tenth century, while al-Baṣīr composed his legal code in 1036-7.

ודלך פי אלמקאלה אלסאבעה והי אלתי נתבלם פיהא עלי רווס אלשהור ואלאביב.²⁷ Of even less importance is the second proof which amounts to quibbling, and hardly needs refutation. Finally, as to the third point, while it is true that Kirkisani's tone is mild on the whole, yet harsh expressions are not wanting. It is sufficient to read the first chapter of the first section, where he reproaches the Rabbis with the ruin of religion (מקאלה זמלה, p. 286, l. 15), deceit (p. 287, l. 24), ignorance and blindness (p. 290, l. 8), ridiculousness (p. 295, l. 18, where we should read סכרה instead of סכנה), &c. With reference to Saadya he employs also the expression פציהה, which occurs likewise in our fragment (see my *The Karaite Literary Opponents of Saadia Gaon*, p. 9). Apparently also this proof against Kirkisani's authorship lacks proper support.

There is, however, also an external proof that our fragment is not from the pen of al-Baṣīr. The *Kitāb al-anwār* of Kirkisani was divided into sections (מקאלה), and every section into chapters, each one of which had באב at its head, exactly as in the case of our fragment. In al-Baṣīr's legal code, entitled *Kitāb al-'istibṣār*, which was likewise divided into sections (מקאלה or כלל) and chapters, every chapter bore the title פצל. A fragment of the *Kitāb al-'istibṣār* is found in MS. Brit. Mus. 2576¹ (Cat. II, No. 591), and here we read at the end: وكذلك الكلام فيما أُمليت من القول في الاعتدال والابيب والرجاح ولعل ان اُملى الكلام في السبت . . . Joseph al-Baṣīr, as is well known, was blind, and therefore dictated (أُملى)²⁸

²⁷ Comp. also the general remark of Kirkisani, where his procedure in mentioning rabbinic deviations and later detailed discussions thereof is formulated as follows (p. 295, l. 21): וכדלך כלמא דכרנאה פסאדה מן: הדיא אלבאב פאנמא נפעל דלך לאנא לא נדכרה פי מוצע אכר הדיא פימא לא יטול פיה אלכלאם ממא לים בדאכל פי אלוציאיא פאנא נוכר אלקול פיה אלי אלמקאלה אלתאניה ואלתאלתה פנדכר כל באב מן דלך פי מוצעה.

²⁸ Numerous passages from al-Baṣīr's *al-Muḥṭawī*, where this expression occurs, are cited and discussed by Goldziher (*REJ.*, XLIX, 227, n. 1).

his work to his pupils. Considering this characteristic expression and various traits of a different nature, which will be treated elsewhere, I recognize now the connexion with the *Kitāb al-'istibṣār* of a Genizah fragment described by me in the *Karaite Literary Opponents*, p. 56, No. 20 (Ar. T.-S. 30), which I could designate there only as part of an old Karaite legal code. Also in this fragment we read: **אנא קר ביינא פימא אמלינאה מן** : **עלי מא אנת תנדה משהורא פי מקאלה** : **אלכלאם פי אלדנאנ** , then : **מפרדה אמלינאה קדימא** , and accordingly the headings of the chapters are termed here **פצל** , e.g. **אלפצל אלכאמם עשר פי קולה ואת אלה** . Besides this the author of this fragment cites his **כתאב אלשכוך** . I conjecture therefore that the fragment MS. Br. Mus. 2576², which deals with leprosy and other laws of uncleanness, and where the author cites his **كتاب الشكول** (see Cat., *L.c.*, p. 181 f.), is likewise part and parcel of the *Kitāb al-'istibṣār*, and that instead of **كتاب الشكول** we should read **كتاب الشكوك** . But also in this fragment the individual chapters bear **فصل** as title, e.g. **فصل سابع في الصراعت وكيفيه حكمها في الجالية وما يتصل بذلك** .

Thus, for various reasons, the fragment edited by Hirschfeld cannot come from al-Baṣīr, but must be considered as part of Kirkisani's work. Here too, nevertheless, thanks are due to the editor for the publication, since every fragment from Kirkisani greatly enhances our knowledge of early Karaism.

SAMUEL POZNAŃSKI.

Warsaw.

Mention is also made there of a pupil of al-Baṣīr, namely Abu Gālib Tābit, to whom his teacher dictated, and the wrong notions concerning him are righted.

IS THE MENORAT HA-MAOR A PRODUCT OF FRANCE?

WHILE reading the article in the issue of the *Jewish Quarterly Review* (vol. IX, Nos. 3 and 4) entitled 'Menorat ha-Maor, time and place of composition', by Dr. Israel Efros, a Talmudic question came to my mind. In a discussion of our sages upon the date of the Book of Job, while they generally maintained its historical character, a disciple surprised Rabbi Samuel b. Nachmani by declaring his conviction that 'Job never existed, but the work is a parable, i. e. a moral or religious apologue'. The Rabbi promptly refuted his theory by saying, 'If this is the case why is his name and place recorded?' (Baba' bathra 15^a). With the same question I confront Dr. Efros in refutation of his new theory that France is the place of composition of the Menorat ha-Maor and the birthplace of its author. If this is the case, how about his name and country?

In the manifold editions which the book has gone through the title-page reads 'Isaac Aboab ha-Sefardi', which unmistakably indicates that Spain was the place of composition and the author native there. For centuries this book was considered as a product of Spain, and quoted as such by all scholars. The fact that it was published with a Spanish translation in Leghorn as early as 1657, and that according to the opinion of an Amsterdam scholar, R. Hyman Arbich, the author himself made a Spanish translation (*Ozar ha-Sefarim*, by Ben-Jacob, p. 339), sustains the current established opinion that it is a product of Spain. To contradict such an opinion positive evidence must be adduced from the contents of the book, as style, thought, historical allusions, or reference to prevailing customs, to corroborate the new theory. The writer, after furnishing us with (what seems to him) internal evidence in support of his assertion, concludes that Isaac Aboab

ha-Sefardi, though of Spanish origin as the name implies, lived and composed his work not in Spain but in France.

Now, as the burden of proof is on him, let us examine his evidence and ascertain if it is strong enough to overthrow the unanimous opinion.

The first clue the writer offers as evidence is this: in ch. 93, which is mainly an explanation on the benediction called Baruch Sheamar, Aboab says: **וְגַם תִּקְנוּ בַּהֲקִדְמַת הַתְּהִלּוֹת בְּרוּךְ שְׁאֵמַר** 'They have instituted before the Psalms the benediction "Baruch Sheamar".' Now, Abraham of Lunel in his work Ha-Manhig, states that the French custom is to say Baruch Sheamar before all the Psalms on Sabbath as well as on the week-days, but the custom of Spain is that the Sabbath Psalms preceded Baruch Sheamar on Sabbath. Our author in making no distinction evidently followed the French custom. This evidence is very flimsy. In the first place, the Menorat ha-Maor is not a code of ritual laws, but a moral and ethical collection of gems found in the Talmud and Midrash. The author speaks of some ritual laws, but only in a general way, without going into details, for particulars he refers the reader to his other two books (see chs. 154 and 155); his aim in this chapter is to comment on this benediction and no more. In the second place, his text of Baruch Sheamar is purely Sefardic, because it contains the words **וְהַקְדוּשׁ, הַגְּדוֹל, הַמֶּלֶךְ** 'the Great and Holy King', and **בְּרוּךְ שְׁמוֹ** 'blessed is He and His name', therefore, no conclusion can be drawn from his silence in the matter of precedence.

Another clue Dr. Efros finds in ch. 103, where the author speaks about the custom of swaying to and fro during prayer, which the Manhig holds to be a French custom. Now, if this is evidence, then the Kuzari of Jehudah ha-Levi was also composed in France, because the above custom is mentioned and explained in that book (Kuzari, book II, sec. 80). And thus by the same argument R. Jacob, the author of the *Tur*, wrote his work in France, because he mentions the above custom in his commentary on the Torah (Exod. 20. 15), Abudraham also

speaks of it as a general custom among all Israel (Warsaw edit., p. 29); also the Zohar comments on this custom (Zohar Pinchas). On the contrary, the trend of the conversation in the Kuzari proves that the custom is universal among the Jews, and not confined to a particular country.

Another allusion to a French custom Dr. Efros finds in ch. 152, where the author speaks about the solemnity of Hoshanah Rabba and says that 'additional Psalms are recited on that day', which the Manhig holds to be a French custom. But neither is this proof convincing, because Abudraham also states that there are places where it is customary to add Psalms and to say Kether in Musaf on Hoshanah Rabba as on holidays, and he alludes to some places in Spain, because he mentions Kether in Musaf which is according to the Sefardic ritual. Accordingly, this custom is not exclusively French.

In ch. 286 where the author speaks about the custom to mourn and abstain from pleasure during the first nine days of the month of Ab, we find a sentence as follows: 'The custom of some is to abstain from meat during this period, especially on the last meal before fasting, on the eighth day of Ab.' On this Dr. Efros says: 'Because he speaks about abstaining from meat during the nine days, and we learn from various sources that it was not a Spanish custom.' I admit that the custom did not prevail in Spain, as Abudraham states that it was only practised by a few, but it appears to me that Dr. Efros misinterpreted the passage. The above sentence does not mean that it was an established custom, but that some scrupulous observers abstain from meat, and this is in accord with Aboab's countryman Abudraham, who states that the custom was not prevalent, but practised only by a few.

Another clue the writer finds in ch. 290, where Aboab quotes from the chapters of R. Eliezer about sounding the Shofar during the month of Elul, which according to the Rosh and Tur is a German Minhag (not, as the writer says, a French). On this the writer remarks, 'Aboab speaks of it as a fixed institution'. I wish to know where he takes it from. Where does it say that

it was an established Minhag? The sentence וכך התקינו חכמים 'and therefore have the wise instituted to sound the Shofar on the first of Elul' is merely a quotation from the chapters of R. Eliezer (ch. 46), and even his own addition of the words כל החדש 'the whole month', does not necessarily indicate that it was the Minhag of his place; he may refer to a German Minhag, and as I have said before that this book was not intended to serve as a code of ritual laws, therefore, it was unnecessary for the author to remark that it was a German Minhag, as the Rosh and Tur do. The writer finds another allusion to a French custom in the same chapter, where Aboab says, 'We also find that it is customary to fast the day before Rosh ha-Shanah', which the Manhig holds to be a French custom; with this the writer concludes his evidence. But he failed to notice that Aboab does not say 'it is customary', but 'we find', i.e. we find some, yet it is not general as in France. This corresponds with the language of Abudraham the Sefardi, who says: 'There are individuals who fast the day before Rosh ha-Shanah' (Warsaw edit., p. 140). After all the aforesaid we see that Dr. Efros's evidence is not convincing, consequently the book remains as it was before, a product of Spain, upon the strength of its tradition, and no further argument is necessary. Nevertheless, to remove any doubt or suspicion, I will point out a few clues which I have discovered in the body of the book favouring the prevailing opinion.

In chapter 337, where the author speaks about the virtue of modesty and the homeliness of immodesty, he quotes from Masechet Kallah, chapter 1, where it is related that R. Akiba, seeing a child with uncovered head, said he was sure that the child was the offspring of an incestuous marriage, and Aboab concludes with the quotation that 'bare-headedness is considered great immodesty and pride'. Now the custom of covering the head was first noticeable in the middle ages in Spain. Abraham of Lunel in Ha-Manhig states that he found in Spain that the people covered their heads during prayer, a comment which indicates that the practice was not customary in France. In the

thirteenth century boys in Germany and adults in France were called to the law in the Synagogue bare-headed (Darke Moshe to *Tur Orach Chaim*, 282, note 3). R. Meir b. Baruch of Rothenburg says: 'It is not forbidden to go bare-headed.' Joseph Solomon del Medigo says: 'It is customary in all parts of Italy and in many countries under the dominion of the emperor of Germany, to go with uncovered head' (Mazref Lachochmah, p. 49). Therefore, we may conclude, that had Aboab lived and composed his book in France he would not speak of bare-headedness in so harsh a tone and name it immodesty and pride.

In chapter 80, where Aboab speaks of the significance of circumcision, he says: 'Through its merit the Almighty listens to the prayer of Israel'; this assertion is hinted at in one of the eighteen benedictions, where it says, 'For thou hearest the prayers of every mouth', the numeral value of פֶּה 'mouth' is equal to מִילָה 'circumcision', which is 85, and he construes the sentence to mean 'For thou hearest the prayer of the circumcised'. Abudraham also makes the same remark. This proves conclusively that he followed the Sefardic ritual, for the text of the German and French form of prayer, does not read כִּי אַתָּה שׁוֹמֵעַ 'for thou hearest the prayer of every mouth', but תַּפְּלֵת עַמְּךָ יִשְׂרָאֵל בְּרַחֲמִים 'for thou hearest the prayer of thy people Israel in mercy'.

Dr. Efros, not content with opposing the prevalent opinion with regard to place, attempts also to contradict it with regard to time. He disposes of Dr. Zunz's scientific essay—in which it is proved conclusively that Aboab lived about the year 1300—with a stroke of his pen, and concludes that he lived in the last part of the fourteenth century, about 1391, and the early part of the fifteenth. To discuss his new theory of date is not my purpose here. I will quote only one of his arguments in support of date, which disproves his theory of place. In the course of his argument to solve the problem of date, he says: 'The greater part of the fifteenth century must be excluded from the problematic territory, because Aboab is silent about the 'Mourners' Kaddish', which assumed its present aspect early in the fifteenth century, therefore, he cannot be placed at that period. This argument

proves conclusively against his own case; it refutes his new theory with regard to place.

The 'Kaddish' originally has no relation to the prayer, and still less to the dead, because it contains no mention of the dead. It was originally instituted for recitation after completing a Talmudical discourse (Tosaphoth to Berachoth, fol. 3). How and when the custom arose that the mourners recite the Kaddish, and when the belief sprung up that it has a power of redeeming the dead from the suffering of Gehinnom, is not known. This we do know, that the Mourners' Kaddish or the Orphans' Kaddish originated in Germany and France, long before it found a place among the Sefardim. Abudraham the Sefardi, in his book written in the year 1340, has no allusion to it. Simcha of Vitry in France, in his 'Machzor' written in 1208, refers to it plainly by the words, 'The lad stands up and says Kaddish' (Machzor Vitry, p. 74). Isaac of Vienna, who lived in the year 1250, mentions it in his work *Or Zaru'a*. He says: 'The custom of the people in the Rhine-lands is, that the orphan recites Kaddish after the conclusion of the prayer (*Or Zaru'a*, p. 11). Now, had Aboab lived in France in the latter part of the fourteenth century, he would not pass over in silence the Mourners' Kaddish. In chapter 9, where he relates the legend of R. Akiba and the dead man, which is given by many as the source of the orphans' Kaddish, it would have been very appropriate to speak of the Kaddish. This proves conclusively that Aboab lived and wrote his book in Spain where the institution of the Orphans' Kaddish was not yet established until the fifteenth century.

In conclusion I will say that the *Menorat ha-Maor* was recognized by Abraham Zacuto, Azulai, Zunz, and others as a work composed in Spain, and as there is no evidence to the contrary, we must accept the traditional view as authentic, as the inscription of its title-page indicates, 'Isaac Aboab ha-Sefardi'.

ISIDOR S. LEVITAN.

Baltimore.

ADLER'S 'GAZETTEER OF HEBREW PRINTING'

A Gazetteer of Hebrew Printing. By ELKAN NATHAN ADLER.
London: GRAFTON & Co., 1917. pp. 23.

THE diffusion of Hebrew printing is of great interest from many points of view, reflecting as it does the state of culture among the Jews in the various parts of the world and the interest shown in Jewish literature, or—more particularly—in the Bible and its language by the peoples among whom they lived.

The only serious effort to sketch this development is the article by Steinschneider and Cassel in Ersch and Gruber's *Encyklopaedie* (Second Section, vol. 28, pp. 21-94) which is mainly based on Wolf's great *Bibliotheca Hebraea* and practically stops with the year 1732. This article, which concludes with a list of 155 printing places, is now very antiquated. Steinschneider himself corrected it in innumerable passages in his Bodleian Catalogue, and his own interleaved copy is covered with his additions and corrections. (Cassel's copy which also must have come to the Jewish Theological Seminary at New York with the rest of his library unfortunately could not be found when I came to the institution fifteen years ago.) Freimann's *Ausstellung hebräischer Druckwerke*, Frankfurt a. M. 1902, gives the 179 places represented in the splendid municipal library of that city and, therefore, cannot be expected to be complete or always to record the first book printed in every place. The list of printing places in the *Jewish Encyclopedia*, XII, 328-30, includes almost 300 names.

These and other predecessors of Mr. Adler, which are enumerated at the end of his short introduction, generally limited their attention to all-Hebrew books, while the present Gazetteer sets for itself a much more ambitious goal. It enumerates

all the places in which Hebrew type was used, even if only casually, for a few words found somewhere in a book printed in other languages, like Priestley's *Letters to the Jews*, printed in Birmingham, which have a line of Hebrew as a motto on the title page. Accordingly the number of places enumerated exceeds by far that of all his predecessors, reaching the imposing number of 547.

The titles given show at a glance whether a Hebrew text or a treatise containing only some Hebrew words or passages is recorded. It would have been interesting if in those places in which complete Hebrew texts were printed after Hebrew type had been used previously, this fact would have been recorded by a second entry. To give an example, the first Hebrew words printed in Germany are found in an anti-Jewish tract of Peter Schwarz which appeared in Esslingen, 1475; in the same city a Hebrew book was printed in 1846 (L. Dukes, *Kobez al Jad*). Perhaps Mr. Adler might take up this larger task in a second edition, which we certainly wish, for his very useful booklet. For such a revision some material will be offered in the following remarks.

In a few instances I came across earlier books printed in the places mentioned by Adler, but not having made any systematic collections my additions are decidedly haphazard, and I do not claim in any case that the books enumerated in the following are the earliest in which Hebrew type appeared in a certain place.

Aguas Calientes, 1891. A second edition of Canticles with the Spanish translation of Jesus Diaz de Leon; when did the first edition appear?

Altdorf, 1643. A part of Nizzahon was published by Schnell (Cat. Bodl. No. 2569) before the complete edition by Hackspan.

Amsterdam, 1605. Hugh Broughton, *The familie of David*. But according to Burger and Hillesum this and Broughton's *Parshegen Nishtevan* were printed in Leyden or Franeker. See [I. M. Hillesum], *Bibliotheca Rosenthaliana: Een Keur uit de Hss. en Boeken*, Amsterdam, 1919, pp. 17-19, No. 81. The Spanish

translation of the מחזור (*ibid.*, No. 74), s. l. 1604, which has the word מחזור on the title and a few Hebrew words in the book (cut in wood, not printed from movable type) possibly was printed in Amsterdam.

Andover. The first edition of Stuart's Grammar appeared in 1813; Cat. Brinley, no. 7269. (Dr. A. S. W. Rosenbach.)

Antwerp, 1545. G. A. Tagliente, *La vera arte de lo eccellente scrivere* (*RÉJ.*, LIV, 261, note 5).

Augsburg, 1509, Jan. 3. Pfefferkorn's *Juden-Feind*.

Avignon, 1444(?). About Waldvogel's types see Freimann, *ZfHB.*, VIII, 46; Nestle, *OLZ.*, 1911, 155-6.

Avignon, 1756(?). Specimen of P . . . Lexicon Hebr. Chald. Lat. Biblicum sub auspiciis Passionei; the preface of I promises the second volume for 1759, although it bears itself, on the title page, the date 1765. It mentions a review of a specimen in *Acta Eruditorum*, April, 1756.

Baltimore, 1867. B. Szold, *Andachtsbüchlein*; Dunbar contains no Hebrew.

Breslau, 1611. Peter Kirsten, *Notae ad Evangelium Matthaei*. fo.

Cambridge, Mass., 1640. *The Bay Psalm Book*, 'practically the first book printed in the British American colonies', contains a few words in Hebrew, which were printed from blocks, not from movable type. (W. Eames, *A list of editions of the Bay Psalm Book*, New York, 1885, p. 6.)

Chur: read 1616. Voitberger, *Arcanum punctationis* (Porges).

Cologne, 1509. Joh. Pfefferkorn, *Wie die Juden yr Oster halten*.

Constantinople. It ought to be mentioned that the *Ṭur* in express words bears the date 1493, and that 1503 is a correction in which all bibliographers agree. If Adler's suggestion that the Behai of 1491 (not 1487) appeared in Constantinople were correct—the book seems to me to come from a Spanish press—the emendation in the date of the *Ṭur* would become rather doubtful. In any event, either of the two books, as far as known, is the first printed work produced by any press in the Near East.

Cuneo, 1865. G. E. Levi, קדש, *Ossia ceremoniale per la cena religiosa di pasqua*.

Dayton, O. The book mentioned by Adler does not contain any Hebrew. In 1890 there appeared פֶּעֶרְהֶאנְדֶּלֶוֹנֶג אֹנֶר אֵיִנְפִירוֹנֶג a booklet, which on p. 7 with the heaviest type has the remarkable misprint וַאֲהַבֵּט לִרְעֵךְ.

Danzig, 1554-5. Philipp Wolff, *Spiegel der Juden* (Schwenke, *Altpreussische Monatsschrift*, XXXIII, 1896, p. 84).

Denipontum is misprint for Oenipontum, Innsbruck, as the place is printed correctly in Catalogue Gesenius, No. 242, to which Steinschneider in his author's copy in our Library refers as source.

Dessau, 1696. חֶק יַעֲקֹב תְּפִלָּה לְמֹשֶׁה appeared earlier than the same year (M. Freudenthal, *Aus der Heimat Mendelssohns*, p. 169).

Dinkelsbühl, 1838. J. Heidegger, בֵּית אֵל, *Tempel des Herrn für Israeliten*, contains only the two words on the title in Hebrew.

Dodrecht, 1584 (?). The Spanish translation of the מַחֲזֹר with the printing place 'Moguntia' (Seeligmann, *ZfHB.*, XIII, 130-1).

Frankfort o. M., 1512. Thomas Murner's Latin translation of the Haggada, which contains a few Hebrew words, appeared before the Birkat ha-Mazon ([M. Sondheim], *Die ältesten Frankfurter Drucke*, 1885, p. 19 seq.).

Freiburg i/Br is identical with Fribourg.

Galatz, 1882. יִרְעָאֵל weekly. fo. (Vol. II, Nos. 9-34.)

Giessen: read 1608.

Glogau, 1830. Arnheim, *Leitfaden beim Unterricht in der mosaischen Religion*.

Gotha, 1643. Reyher, *Prima legendi hebraice rudimenta* (Porges).

Hamburg, 1536. *Psalmus XLVII* (Grunwald, *Hamburg's deutsche Juden*, Hamburg, 1904, p. 153, note 1).

Hanau, 1594. Balme's, Hebrew grammar (Steinschneider, *Zusätze*).

Harderwyk occurs twice.

Heidelberg, 1586. Polyglot Bible (Cat. Bodl., No. 269).

Hildesheim, 1711. Witteck, *Iura Israelitarum in Palaestina* (Gen. 1-17; see Le Long-Masch, I, p. 160).

Ingolstadt, 1534. Petrus Apianus, *Inscriptiones sacrosanctae antiquitatis*. Hebrew words occur in the printer's mark of this rare book which was shown to me by Mr. Voynich. Are there earlier books by the same printer?

Kiel, 1666. Wasmuth, *Hebraismus . . . restitutus* (Steinschneider, *Handbuch*).

Königsberg, 1552-3. The printer Hans Weinreich used a woodcut of the Tetragrammaton in several publications (Schwenke, *l. c.*; see Danzig).

Kreuznach. *Tam u-Muad* does not belong here, and is a repetition of the following. Did the booklet not appear in Breslau?

Leipzig, after 1492. Philip Culmacher, *Regimen wider die Pestilenz* (Hain 5848*, British Museum Catalogue of Incunabula, III, p. 639) contains a few Hebrew letters on fol. 1 b. Dr. G. P. Winship of the Widener Library, Harvard, lately drew my attention to this fact.

Before Novenianus's *Elementale Hebraicum* which Mr. Adler mentions, the grammars of B. Caesar (Bauch, *MoG WJ.*, 48, 1904, pp. 283 and 481, No. 21) and those by Cellarius (*ibid.*, No. 24-5) came out.

Magdeburg, 1607. *Jonah quadrilinguis* (Cat. Bodl., No. 369).

Mainz, 1542. Wicelius, *Idiomata quaedam linguae sanctae* (Steinschneider, *Handbuch*). 1523 refers to Psalms (Cat. Bodl., No. 45) which, however, do not contain the Hebrew text; they have the title: *Psalterium iuxta Hebraicam veritatem divo Hieronymo interprete*, which gave rise to the confusion (Falk, *Centralblatt für Bibliothekswesen*, XVIII, p. 62). Breydenbach's Travels to Palestine which appeared in Latin and German in 1486 contain a Hebrew alphabet cut in wood, as plate 12. It was repeated in the reprints Spires 1490 and ca. 1495 (W. L. Schreiber, *Manuel de l'amateur de gravure sur bois et sur métal au XVI^e siècle*, V, 1, pp. 146-8).

Mannheim, 1843. S. Hochstädter, קול אומר קרא, *Hebr. Lese-Fibel* (Steinschneider, *Handbuch*).

Mecklenburg: read Neu-Brandenburg in Mecklenburg (Le Long-Masch, I, p. 171-2).

Metz, 1764. *Beschreibung des Lebens von Robinson Crusoe* (Steinschneider, *Zeit. f. Gesch. d. Juden in Deutschl.*, V, 150). Nieto appeared 1780.

Milwaukee, Wis., 1884. Is. S. Moses, חפלה למושה, *Order of Prayers*. 12mo.

Mulhausen, 1839. S. Dreyfus, *Abrégé de la grammaire hébraïque* (Freimann, *ZfHB.*, III, p. 123).

Munich, 1826. A. Behr, *Lehrbuch der mosaischen Religion*.

Naumburg, 1714. G. W. Dieterici, *De Urim et Tumim*. 4to.

New York, 1694. George Keith, *Truth Advanced*. (Dr. A. S. W. Rosenbach kindly drew my attention to this book.)

Pavia, 1539. Teseo Ambrogio Albonesi, *Introductorium in chaldaicam linguam*. 4to.

Pforzheim, 1505. Reuchlin, *Tütsch missive*.

Philadelphia, 1693. [George Keith], *New England's Spirit of Persecution*, 4to. (Dr. A. S. W. Rosenbach.)

Regensburg, 1538. Winmann, *Oracio in . . . hebraicam linguam*. 4to (Bauch, *l. c.*, p. 490, No. 65).

Riga, 1780. G. Schlegel, *Bemerkungen zum erleichternden Studium der hebr. Sprache*. 4to (Steinschneider, Zusätze).

Rostock, 1516. Marschalk, *Rudimenta prima lingue hebraice* (Bauch, *l. c.*, p. 485, No. 42).

Schwerin, 1753. Clemann, *Versuch zur leichteren Erlernung der hebr. Sprache* (Steinschneider, Zusätze).

Sensburg, 1861. *Aggadath Bereshit*, &c. 12mo.

Slankowitz is evidently a mistake for Slopkowiecz which follows a few lines later.

Stockholm, 1660. *Exodus hebraice et latine cum annotationibus Terseri*. fo. (Wolf, II, 395; IV, 136).

Thienjen: read Thiengen.

Trier, 1857. *Feier zur Grundsteinlegung der neuen Synagoge*.

Tübingen, 1512. Aldus's *Introductio* appeared a month before Reuchlin. Anshelm's printer's mark with the tetragrammaton with

inserted *ש* which he had used in Pforzheim since 1507, was used in his first Tübingen book, *Bebel, Commentaria*, July 1511. (Steiff, *Der erste Buchdruck in Tübingen*, 1881, pp. 18-19, 75, 89-91.)

Venice. Felix Pratensis's Latin translation of the Psalms is out of place here. Instead, Aldus's *Introductio utilissima hebraice discere cupientibus* of 1500 or 1501 (partly reproduced by Panizzi, *Chi era Francesco da Bologna?* London, 1858) or the specimen sheet of a polyglot (reproduced in Renouard, *Annales des Aldes*) should be mentioned. See *Papers of the Bibliographical Society of America* XIII, 1919, pp. 64-7. As I have learned since, Hebrew words occur already in 1499 in the *Polyphilo* printed by Aldus.

Vienna, 1562. Weidner, *Loca praecipua fidei Christianae* (Delitzsch, *Wissenschaft, Kunst und Judentum*, Grimma, 1838, pp. 290-1).

Wittenberg, 1508. Carlstadt, *Distinctiones Thomistarum* (Bauch, *l.c.*, pp. 146, 482, No. 23). Boeschenstain, *Institutiones* of 1518, which Adler mentions, does not have any Hebrew letters, but blank spaces are left for them which are filled in by hand in the Seminary copy, as they are in that of the British Museum (Proctor, no. 11837) and Bibliothèque Nationale, according to Schwab's *Les incunables orientaux*, p. 76.

Zaragoza, 1547. Antonius Nebrissensis, *De literis hebraicis opusculum* (Steinschneider, *Zusätze*).

Ziesar: read Zeitz.

Zerbst, 1603. *Rudimenta linguae sanctae . . . pro schola Servestana*. 4to.

In the foregoing repeated reference was made to Steinschneider, 'Zusätze und Berichtigungen zu meinem Bibliographischen Handbuch über die Literatur für hebräische Sprachkunde' in *Centralblatt für Bibliothekswesen*, XIII, 1896, pp. 345-79, 441-89, and to Porges, 'Nachträge zu Steinschneiders Zusätzen und Berichtigungen', *ibid.*, XV, 493-508, 566-78. From these sources I gather the following additions without being sure to have exhausted them:

Bautzen, 1719. Erdmann, *Summarium ebr. linguae* (St.).

Bergen, 1784. Arentz, *Nomenclator Hebr.* 8vo (St.).

Berlenburg, 1720. Schefer, *Hebräisches Wörter-Buch*. 4to (St.).
 Clausenburg (or St. Claude?), 1698. Alting, *Fundamenta
 punctuationis hebr.* 8to (*ZfHB.*, XX, 16).

Culmbach, 1779. Heerwagen, *De quibusdam impedimentis*.
 4to (Porges).

Detmold, 1840. Berthold, *Patrocinium linguae hebr.* 4to (St.).

Dortmund, 1548. Sceuaſtes, *Methodus recte legendi Hebraica*.
 12mo (Porges).

Ems, 1855. B. Hochstädter, *Hebr. Leseſibel* (*ZfHB.*, III, 123).

Freistadt, 1708. Schwindel, *Exercitatio critico-literaria*. 4to (St.).

Graetz, 1737. Hertel, *Anweisung zur h Sprache*. 8vo (St.).

Lausanne, 1768. [Kalmar], *Εἰσαγωγή εἰς τὸ Ἑβραϊκὸν ἰδιῶμα*
 8vo (Porges).

Malta, 1837. [Lowndes], *Γραμματικὴ τῆς ἑβραϊκῆς γλώσσης*
 8vo (St.; Porges under Anonymous).

Merseburg, 1770. [Schreiber], *Sendschreiben an Herrn Prof.
 Schmidt*. 8vo (Porges).

Montefiascone, 1706. Bougetius, *Brevis exercitatio ad studium
 l. h.*, 12mo (Porges).

Norwich, 1824. Robertson, *Clavis Pentateuchi*. 8vo (St.).

Osnabrück, 1744. Schwarz, *Trias observationum grammati-
 carum*. 4to (Porges).

Speyer, 1739. Lizel, *Epitome gr. h.* 8vo (Porges).

Stralsund, 1700. Franckius, *Lux Tenebrosa*. fo. (St.).

Weissenfels, 1672. Cellarius, *Compendium gr. h.* 4to (Porges).

There can be little doubt that the number of places in which Hebrew grammars have been printed will considerably increase the *Gazetteer*. Steinschneider's *Handbuch* still requires careful examination for this purpose. Furthermore, many of the catechisms printed in different places contain Hebrew words and are likely to yield additions, but here one must be very careful, as often the place of publication is not identical with the printing place. Accordingly I abstain from drawing on the bibliography in Strassburger, *Geschichte der Erziehung und des Unterrichts*, since the books are inaccessible to me.

The following list of additions, with exception of the first item, is taken from the Seminary Library, and based on personal inspection. A considerable part of it is due to the zeal of

Mr. Israel Shapiro, since many years my assistant and co-worker in the Library of our Seminary. They were collected after we received the *Gazetteer*; the casual notes I had made previously in my copy of Freimann's *Ausstellung hebräischer Druckwerke* I had pleasure in putting at Mr. Adler's disposal during his last visit to this country, when he was working on his list, and these few notes he graciously acknowledges in his preface.

Aracena, Spain, 1581. Hebrew Bible with Arias Montanus's Latin translation. fo. (Le Long, I, Paris, 1709, p. 92; Le Long-Masch and Cat. Bodl. have Burgum Aracense for Aracenense.)

Bacau, Rumania, 1896. הספר מר over Is. Friedmann. 8vo.

Bara, 1880. בוצינא דנהורא. 4to.

Bayreuth, 1838. Harburger, מסכת דרך ארץ זוטא. 8vo.

Bender, Russia, 1905. Baumzweig, הנאום (Bar Mišwah sermon in Yiddish). 32mo.

Bernburg, 184c. Herxheimer, יסודי התורה, third edition. 12mo.

Borgoprund, Hungary, 1912. Brandon, עמק בנימין. 4to.

Bütow, 1884. H. Faust, הזכרת נשמות *Seelenfeier*. 4to.

Buczacz (בוטשאטש), Galicia, 1906. J. A. L. Warman, אשל אברהם מהדרורא תנינא. 4to.

Byelgora (בילגורייא), Russia, 1910. Nathan Natke, ש"ות מאורות, נתן. fo.

Caen, 1866. E. A. Drouin, *Dictionnaire comparé des langues*, 8vo.

Chrzanow (קרשאנוב), Galicia, 1904. Abi Asaf, גדולי ישראל (biographies of Jedajah of Beziers and Solomon Alkabeš). 32mo.

Coimbra, 1903. Mendes dos Remedios, *Uma Biblia Hebraica*. 4to.

Craiova, Rumania, 1902. A. S. Gold, *Pentateuch with Rumanian translation*, I-II. 8vo.

Des Moines, I., 1904. אמרי אמת (Yiddish pamphlet against one S. Glazier). 8vo.

Dijon, 1873. Gerson, *Allocution*. 8vo.

Er-Myhalyfalva, Hungary, 1902. A. I. Glück, ש"ות יד יצחק. fo.

Grayevo, Russia, 1908. J. B. Feiwelsohn, לבני ישראל. 8vo.

Gütersloh, 1896. E. Rupprecht, *Des Rätsels Lösung*, II. 8vo.

Haarlem, 1842. [A. A. Wolff], עתרת שלום ואמת *De Stemmen der oudste . . . Rabbijnen*. 8vo.

Hermannstadt, 1873. A. Dornzweig, נבל וכנור. 8vo.

- Kaschau, 1868. Abr. Ginzler, תוכחת מגולה. 8vo.
- Kis-Körös (קיש קערעש), Hungary, 1896. Rubinstein, ספר מביט. fo.
- Lauingen, 1584. Philipp Hailbrunner, *Esaiæ prophetæ vaticinia*. 12mo.
- Linz, 1877. *Festschrift zur . . . Einweihung des . . . Tempels*. 8vo.
- Lomza, 1912. M. I. Edelman, פתגמי התלמוד. 8vo.
- Ludwigshafen, 1859. M. Elsässer, *Erster Unterricht in der israelitischen Religion*. 8vo.
- Louisville, 1898. עבודת ברית שלום *Services of the B'rith Shalom Congregation*. 12mo.
- Meissen, 1836. F. Nork, *Braminen und Rabbinen*. 8vo.
- Münden, 1831. S. Herxheimer, יסודי התורה *Israelitische Glaubens- und Pflichtenlehre*. 12mo.
- Nagytapolcsány, 1904. M. A. Roth, *Der Zionismus*, 2nd edition. 8vo.
- Neuhäusel, 1894. Leuchter, בית ועד לחכמים, I-II (monthly). 8vo.
- Neustadt a. d. Haardt, 1882. S. Levin, *Die Frage des israelitischen Religionsunterrichts*. 8vo.
- Nyehzhin (נעזין), Russia, 1894. Alotin, כבוד בת עמי. 8vo.
- Odensee, 1835. Kalkar, *Quaestionum Biblicarum specimen*, I, 8vo.
- Pelszawisza (פעלשאויא), 1907. נטע שעשועים. 8vo.
- Penn Yan (N.Y.), 1846. Isaiah McMahon, *Hebrew without a master on the Robertsonian method*. 8vo.
- Piatra, Rumania, 1881. יורעאל I, No. 22-II, No. 8. fo. (Periodical, appeared first in Jassy, later it was transferred to Galatz, and finally Czernovitz.)
- Pinsk, 1910. דבר בעתו on the meat tax. 16mo.
- Poltava, 1913. A. Resnick, כתבי הרב א'נ' עזריקם. 8vo.
- Proskurow, 1913. S. Wahl, חקירות בשרשי הלשון. 8vo.
- Rennes, 1845. A. Latouche, *Philosophie des langues*. 8vo.
- Roman, Rumania, 1891. J. Lebel, דברי חיים. 12mo.
- Sanok, 1912. Eleazar Roḳeah, מעשה רוקח. 8vo.
- Savannah, Ga., 1902. Is. P. Mendes, *First lessons in Hebrew*. 12mo.

Sniatyn, 1907. Moses Eisenstein, *Pogrom ha-Bialystoki*. 32mo.

Steyer, 1756. *בראשית* published together with Wartha's *Grammatica nova*. 12mo.

Szamosujvar (סאמאש-איוואר), Hungary, 1910. *מלחמת חובה עם* (against a shohet). 8vo.

Szilagy-Somlyó (סילאדי-שאמלויא), Hungary, 1904. *Abr. Jeh. Cohen*, שו"ת קול אריה. fo.

Szolyva (סוואליווע), 1913. Josef, *בני שלשים*. 4to (Derashoth).

Tiszazásfalu (סאספאלא), Hungary, 1911. *לקוטי יוסף שארית ישראל*. 8vo.

Tolczawa (טאלטשווא), Hungary. P. Schwarz, *מלין דרבנן*.

Ujhely, 1872. Fried, *אומר לעיון*. 4to.

Vicenza, 1775. Octavius Pace, *Syntagma de vaticinio Iacobi. Gen. 49*. 4to.

Wiznitz, 1913. M. H. Herzberg, *כללים שנברכות* (Yiddish). 8vo.

Zaleszyki, 1904. A. Schapiro, *שם משמעון*. 8vo.

Of these additions more than half date from the present century, most of the others from the later part of the last, illustrating the remarkable diffusion of Hebrew printing in our own time.

It is evident that a first effort at so ambitious an undertaking as Mr. Adler's *Gazetteer* cannot be complete. Only by co-operation of many bibliographers for a number of years can such a goal be reached. Mr. Adler deserves great credit for not having been deterred by the evident difficulties and the unavoidable incompleteness, but courageously undertaking the task which he accomplished with great credit. Of course, Mr. Adler is in a particularly favourable condition for such work as he is the owner of one of the greatest and best Jewish libraries in the world which he has brought together with untiring zeal, and in London he has access to many other important collections. As a matter of fact, his *Gazetteer* was very largely based on his own collection, and only afterwards enlarged from other sources. It is remarkable that Mr. Adler has been able to accomplish so much in his leisure hours. Meantime he has not limited himself to the admission in his preface that he is aware of the incompleteness of his list, but has continued to collect additions and

corrections, and I conclude this long review, which is commensurate with the importance of the subject, by a list of additions which the author himself asked me lately (June 12, 1918) to include in my review:

Bristol, 1830. W. T. Philipps, *Elements of Hebrew grammar*.

Curaçao, 1880. *Leerrede* door J. H. M. Chumaceiro.

Exeter, 1703. Hy. Hingeston, מִחִיר קָרָל or *a dreadful alarm upon the Clouds of Heaven mixed with love* (Peddie).

Fossombrone, 1513. P. de Middelburg, *Paulina de recta Paschae celebratione*. fo. (Leighton, *Early Printed Books*, II, 265.)

Gloucester, 1891. A. Watson Hand, *Introduction to the study of Hebrew Synonyms*.

Göteborg, 1858. Bonbok, *Hebrew and Spanish Prayer-book*.

Hebron (before 1888). Printing card of Dr. Joseph Jermans.

Oran, 1853-4. *Shai Lemora*, Novellae on Genesis.

Ottobreuren, 1511. *Passio Septem Fratrum* (Proctor, II).

Pittsburg, Pa., 1903. J. Leonard Levy, *Textbook of religion and ethics for Jewish children*.

Plymouth, 1909. *Union of Jewish literary societies*, 8th Annual Report.

Rio de Janeiro, 1910. Centro Israelita, *Estatutos*.

St. Louis, 1875. מפלס נחִיב Mannheimer, *Hebrew Reader*.

Sankt Wendel (Prussia), 1865. E. Hecht, *Der Pentateuch* (B. M.).

Tübingen, 22/3, 1512. Joseph Hyssopaeus, *Lanx argentea*.

Waitzen, Hungary, 1899-1900. יוֹשֵׁב מִצְרָף on the Dinim of children of mixed marriages.

Wilmington, N. C., 1868. Myers, *1200 Questions and Answers on the Bible*, 2nd edition.

Toronto. The book mentioned in my *Gazetteer* was published at Toronto, but printed at New York.

The number of printing-places, including these additions, amounts to 626.

ALEXANDER MARX.

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THE RELIGION OF FLAVIUS JOSEPHUS

By JAMES A. MONTGOMERY, University of Pennsylvania.

JOSEPHUS is known to the world as the Jewish historian. His histories are a mine of facts for the period in which Christians are interested as the birth-age of the Church, but his theology has not concerned them, except so far as he has served at times as another horrible example of Pharisaism. The Jews have neglected him, as they have Philo, but with the further animus that he stands forth as an apostate to the nation in the hour of its greatest crisis. Yet while, with the exception of Philo, we must rest content with the fragments of the poets and prophets and historians of the Old Testament, and with the dicta and occasional anecdotes of the rabbis of later ages, until we reach the *opéra* of the mediaeval philosophers, in the case of Josephus we possess extensive works proceeding from the ripe experience of a stirring political and intellectual life, in sum a very considerable pile of literature, and that from the generation that marks the dividing point in Judaism's history. In one of these works, his *Life*, he gives his own apology as a Jew, and in his *Contra Apionem* a positive statement of the Jewish faith and practice; in his *Antiquities* he is perforce bound to present his own religious interpretation of the sacred history he narrates. Of that holy story he is by no means ashamed, but is its doughty defender in theory and fact, and it matters not whether our

own interpretation, Jewish or Christian or rationalistic, be otherwise, his interpretation is of supreme value as a reflection of the Judaism of the first century from the soul and mind of a very remarkable man. It is at first sight difficult to understand Josephus as exemplary of the Pharisaism which he affected, and *prima facie* he may be regarded with suspicion as a Hellenizer and so unfit to speak for Jewish orthodoxy. But he is nevertheless a sincere and genuine product of the Jewish religion, and if we put aside our preconceptions of what a Pharisee must have been in his day, we have to allow that he may represent in fact a much larger class of the Jewish *illuminati* than we might gather from the scanty and one-sided survivals of the thought of the age. Before we launch into the vast Rabbinic unification of Judaism we may well ask whether such writers as Koheleth and Philo and Josephus and the author of Wisdom were not something more than self-representative, and whether such sporadic writers as these now appear do not light up what Friedländer calls 'the religious movements within Judaism in the age of Jesus Christ'.¹

¹ This paper is the fruit of an independent reading of Josephus, and my comparison of the pertinent literature was subsequent to my plotting out of its argument. Reference to the other treatments has given some points for amplification of my subject, and still more has shown what I might avoid as already adequately handled.

I cite the following literature bearing on Josephus's theology: Bretschneider, *Capita theologiae Iudaeorum dogmaticae e Flavii Iosephi scriptis collecta*, Wittenberg, 1812; Gfrörer, *Philo*, 2, 356-67; Dähne, *Jüdisch-alexandrinische Religionsphilosophie*, 2, 240-5; Paret, 'Ueber den Pharisäismus des Josephus', *Theol. Stud. u. Kritiken*, 1856, p. 800; Graetz, *Geschichte d. Juden*, vol. 3, note 10; A. Poznański, *Ueber die religionsphilosophischen Anschauungen des Flavii Josephus*, Breslau, 1887; A. Schlatter, 'Wie sprach Josephus von Gott?' *Beiträge zur Förderung christlicher Theologie*, 1910, Heft 1; B. Brüne, *Flavius Josephus u. seine Schriften in ihrem Ver-*

Josephus himself is fully conscious of his own religious interest and of the responsibility which his studies lay upon him of expounding the faith that is in him. So in the Preface to his *Antiquities* (§ 4) he thus makes apology for his much theologizing: 'Those that read my works may wonder how it comes to pass that my discourse which promises an account of laws and historical facts contains so much philosophy of causation (*φυσιολογία*).² The reader is therefore to know that Moses deemed it necessary that he who would conduct his own life well and give laws to others, in the first place should consider the divine nature,' &c. Josephus then proceeds in the climax of his argument to the presentation of his history as really a divine philosophy of history, for, as he says, it will appear that 'in this whole undertaking there is nothing disagreeable to the majesty of God or his philanthropy'. That

hältnis zum Judentume, zur griechisch-römischen Welt, u. zum Christentume, mit griechischer Wortkonkordanz zum Neuen Testamente u. I. Clemensbriefe, Gütersloh, 1913; also the articles on Josephus in Hastings's *Dict. of the Bible*, extra vol. (by Thackeray) and *Jewish Enc.* (by S. Krauss), the latter a most impartial brief statement; also Bousset, *Die Religion des Judentums* (*passim*, see Index). Of these I would name especially Poznański, Schlatter, and Brüne. Schlatter's monograph is admirable, both for its philological studies and its comparisons with Palestine Judaism. Brüne's book (over 300 pages) is the most encyclopaedic and also the most pretentious of all. It contains an immense amount of philological material, and its comparisons with the classical and early Christian literatures are most useful; but the work is diffuse, badly put together, and a hopeless wilderness for lack of a good index. A selected vocabulary of Josephus is a desideratum. N. Bentwich, *Josephus*, Jewish Pub. Soc., 1914, is too unsympathetic towards Josephus to give any treatment of his religion.

² The use of *φυσιολογεῖν* at the opening of *Ant.* 1, 2, where Moses is said to have begun to *φυσιολογεῖν* in Gen. 2, is interesting. It is the first appearance of the notion of a distinction between the two Creation stories. Compare Whiston's quaint remark, who holds it 'probable that he understood the rest of the second and the third chapters in some *enigmatic* or *allegorical* or *philosophic* sense'.

is, Josephus recognizes his duty as a theologian, and by consequence as a moral teacher, even as he sets forth to be his people's historian. And wherein he fails as historian, he can be all the more taken as a religious exponent of his age and people, one who speaks not as an ignoramus but as well furnished with his religion's theory.

In the opening of his *Life* Josephus gives the natural grounds of his theological interest. He was born a priest and of the best of the stock, for he belonged to the first of the priestly courses. Indeed, he was descended from the great Jonathan, the Maccabaeon high priest, and so was of royal as well as of sacerdotal blood. Theology runs with the blood, and according to Josephus this was particularly true of the divinely appointed Jewish priesthood, those, as he says, who 'had the main care of the Law' (*Apion.* 2, 21 [22]). To this inheritance he attributes one divine energy he himself possessed, that of interpreting the omens of the future, for he tells that in the emergency when he was caught in the cave at Jotapata by the Romans he had a dream and was able to give its interpretation, being 'not unacquainted with the prophecies contained in the sacred books as being a priest himself and of the posterity of the priests' (*Wars*, 3, 8. 3).

The blood of his fathers had its fruits in his youthful development. He boasts of his early love for learning which brought the rabbis about him at an early age to learn his opinions (*Life*, 2). More attractive than this bit of conceit is the ensuing account of his religious *Wanderjahre*. He started out at the age of sixteen to taste (*pacc* the Scotticism) the various schools (*αἱρέσεις*³) of his religion,

³ Generally so; also φιλοσοφίαι, *Ant.* 18, 1. 2; cf. *Wars*, 2, 8. 14, end: περὶ τῶν ἐν Ἰουδαίῳ φιλοσοφούντων. So also he speaks of the Stoic αἵρεσις.

the Pharisees, Sadducees, and Essenes. These were to his youthful mind so many schools of philosophy, and he might flatter himself in after years that he had passed like a butterfly over the various pastures of wisdom until in maturity he lighted upon that which pleased him best. At the age of nineteen he made his choice and became a convinced Pharisee according to his own mind, nor have we any reason to doubt his sincerity and acceptability to that 'heresy'. But he always retained a warm memory of his experiences among the Essenes, whom he compares with the Pythagoreans (*Ant.* 15, 10. 4). Too practical, too much of a woridling, too rationalistic to remain a member of that separatistic sect of monks, he never forgot his youthful admiration of their holy asceticism, of their community life of love and labour, and he never became so sophisticated as to lose his tender reminiscence of their mysteries and spiritualistic practices (e.g. *Wars*, 2, 8). Perhaps some of his subsequent psychological experiences, which he details with so great *empressement*, such as his ecstasies (e.g. *Wars*, 3, 8. 3) and his dreams and prophecies (e.g. § 9), had their original cultivation in that mystical society of adepts. He even carried his religious experience one step further and became for a period of years (although his chronology is self-contradictory) the disciple of a certain anchorite Banus, who lived in the desert and used no other clothing than grew upon trees and ate only such food as grew of itself and bathed in cold water night and day to preserve his chastity, 'in which things I imitated him' (*Life*, 2).

It would be interesting to learn all his reasons for his choice of Pharisaism. As a priest and one who held that the conduct of religion lay in the hands of his caste, we

might think of him as rather inclined to Sadduceeism. Perhaps political convenience may have swayed him (cf. *Ant.* 18, 1. 4), but his conviction was a genuinely religious one, and his adherence throws light upon the liberalism of the Pharisaism of his day. The Pharisaic theology, that of the divine providence, appealed to his instincts, as did also its mystical tenets of belief in angels, the resurrection, and so forth, although he actually makes little use of some of these doctrines.⁴ Some personal reactions may have taken place, as appears from his comment that 'the Pharisees are friendly to one another and stand for the exercise of concord and regard for the public; whereas the behaviour of the Sadducees to each other is somewhat rude and their conversation with their fellow-partisans is as barbarous as if they were strangers to them' (*Wars*, 2, 8. 14). The conventional, snobbish Sadducees did not appeal to the bright-witted man. The greatest mutual affection he finds among the Essenes (*ibid.*, § 2). At the same time he admits that the Sadducees held strictly to the letter of the Lawgiver Moses, that 'divine man', while the Pharisees added to it with their tradition (*Ant.* 13, 10. 6). And while admiring the conviction and pertinacity of the Pharisees he is open-minded enough to blame them when they are open to censure.⁵ Doubtless as a statesman he appreciated most highly in the genius of the Pharisees their work in unifying the people in one religious practice and one social polity. Herein he may

⁴ For his slighting of the doctrine of angels see Schlatter, pp. 32 ff.

⁵ Josephus's impartiality as an historian appears in the occasional and doubtless justified criticisms of his own party, e. g. *Ant.* 17, 2. 4 (n.b. their influence with the palace harem, ἡ γυναικωνίτης). See Paret, pp. 817 f.; Friedländer, *Die religiösen Bewegungen innerhalb des Judenthums im Zeitalter Jesu Christi*, p. 90.

have seen the future salvation of his people, and indeed, as Jews have ever since recognized, this objective could be the sole basis of their existence. This amazing orthodoxy is to his mind one of the proofs of the divinity of the Mosaic Law (*Apion.* 2, 19 ff. [20]). It is this unity, based on the sublime perfection of the Law, which explains why the Jews have never been inventive in thought or works of art (§ 20 [21]): the character of the Law as a fixed tradition excludes all innovations.⁶ As an apology to the Greeks this was a sorry defence, but it is a fair example of the insight with which Josephus, without always marking the implications of his logic, could hit the point on its head.

Josephus had a thoroughly religious, and so genuinely Jewish, habit of mind towards life.⁷ For him religion came first, and despite the Hellenizing temptation to regard religion as an ethic or a handmaid to the ethical, he stoutly insists that the excellence of Judaism lies in this, that religion in that system is prior and superior to ethics. 'The reason why,' he says in *Apion.* 2, 16 [17]), 'the constitution of this legislation was ever better directed to the utility of all than all other religions is this, that Moses did not make religion (εὐσέβεια) a part of virtue, but he saw and ordained the other virtues to be parts of religion—I mean justice and fortitude and temperance,⁸ and the common agreement of the citizens in all things; for all our

⁶ Josephus is possessed with a congenital dislike to all innovations in Church and State; his objection to the Zealots was therefore principled. See Brüne, pp. 27, 112, 234.

⁷ Cf. Krauss, *Jew. Enc.*, 7, p. 275: 'Josephus's orthodoxy and piety are thus beyond doubt.'

⁸ i. e. the four cardinal virtues, εὐσέβεια replacing φρόνησις, and καρτερία ἀνδρεία; see Poznański, p. 39.

actions and studies are related to piety towards God, for he has left none of these things indefinite or undetermined.' For him reason does indeed agree with that revelation, although never in the moralizing terms of 4 Maccabees, but it is merely the endorser and exegete of what is given through God's revelation by Moses. Judaism is a rational religion based on authoritative revelation. None could better express than Josephus has so capitably done in the words quoted the relation of religion and ethics for the religious mind, and accordingly the credit should be given him of a true sense of religious values.

For a survey of Josephus's faith, or 'persuasion' as he would call it,⁹ one can follow his four great unities, the One God, the One Law, the One Temple, the One People.¹⁰ To these points we have to add his Pharisaic eschatology of the individual, so that, barring Messianism, he strikes the great notes of Jewish orthodoxy.

Upon the doctrine of God Josephus uses the common-

⁹ Josephus's use of the verb *πίθεσθαι* might have been noticed by Brüne. It is quite parallel to *πιστεύω*: cf. *Apion.* 2, 16 οἱ γὰρ πιστεύσαντες ἐπισκοπεῖν θεόν with § 41 πεπίσθαι τὸν θεὸν ἐποπτεύοντα διέπειν. Cf. the New Testament use, e.g. Rom. 8. 38; 2 Tim. 1. 12; Heb. 11. 13 (*text. rec.*). Πίστις and *πιστεύω* are not common words in Josephus, and deserve a fuller treatment than Brüne has given them (see his Index). See also Schlatter, p. 27. We may note the sentence in *Apion.* 2, 30 [31]: 'Every one, having his own conscience as a witness to himself believes, on the prophecies of the Lawgiver and God supplying the strong ground of faith (τὴν πίστιν ἰσχυράν), that [to those who die a martyr's death] God gives a revivification and a better life.' Faith is generally objective and dogmatic with Josephus, but his use has many parallels in the New Testament. Nevertheless, he uses the word in its fullest spiritual sense, as in his praise of Izates and others likeminded: τοῖς εἰς αὐτὸν (θεὸν) ἀποβλέπονσι καὶ μόνῳ πεπιστεύκοσιν, *Ant.* 20, 2. 4, end.

¹⁰ I might add, following a thought of Schlatter's (p. 78), Josephus's idea of the unbroken unity of Jewish history from creation down to the destruction of the temple.

places of monotheism, but he puts these simply and strongly. God 'is Father and Lord (δεσπότης¹¹) of all things and supervises all things (πάντα ἐπιβλέπων)', (Pref. *Ant.* 4). He presents Moses' doctrine (*Apion.* 2, 16 [17]) as ascribing the rule and power to God, who is the cause of all good things, and from whom nothing in deed or thought can be hidden. 'He is unbegotten and unchangeable for eternity, exceeding in beauty every mortal concept, known to us by his power, but unknowable as to his essence.' In his commentary on the First Commandment (*Apion.* 2, 22 [23]), Josephus maintains that 'God is wholly absolute (τὰ πάντα παντελής) and happy (μακάριος), sufficient for himself and all things, the beginning and mean and end of all. He is manifest in works and benefits, more apparent than anything whatsoever, but most unapparent as to form and size', hence no material art is worthy for his representation. We may observe too his description of God as πολλὸν καὶ πανταχοῦ κεχυμένον (*Ant.* 6, 11. 8), and the expression of God's spirituality put in Solomon's mouth, *Ant.* 8, 4. 2. In one passage alone Josephus takes a step into theosophy, when he makes Rehoboam declare the doctrine that 'God is his own work' (ὅς ἔργον ἐστὶν αὐτοῦ) (*Ant.* 8, 11. 2, end). A deistic form of expression appears in Josephus's frequent use of τὸ θεῖον for the Deity, for which he might have excuse in the abstract *Elohim* of the Hebrew.¹²

The practical extension of this doctrine of the one God,

¹¹ Brüne makes quite too much of this term to prove that the Pharisees were therefore 'Gottes Sklaven' in the most slavish sense of the word (p. 52), and ignores the Septuagintal and early Christian use of both δ. and δοῦλος. See also Schlatter, pp. 8 ff. Josephus's interchangeable use of δ. and κύριος in private life is shown by a citation of Brüne's, p. 48.

¹² e g. *Wars*, 2, 8. 5; 3, 8. 3; *Ant.* 1, 11. 1; 12, 6. 3.

Father, and Creator, lies for Josephus in his theory of the Divine Providence. Here he rings true to the religion of the Hebrew Bible, from Genesis to Chronicles. For him history is the philosophy of the divine activity, and in great things and small our author never wearies in pointing out the care of God over all his works. This capital doctrine, Josephus repeatedly relates, was the distinguishing characteristic of the Pharisees as distinguished from the Sadducees, the former he accordingly compares with the Stoics, and the latter he might have aligned with the Epicureans.¹³ The constant word he uses for providence is *πρόνοια*, 'forethought', and the word or idea appears in almost every leading narrative. This providence is universal, not only for God's people. From the anecdote of Titus's remarkable escape from the surprise attack made upon him when advancing upon Jerusalem, Josephus deduces that 'both the crises of war and the perils of kings are a care (*μέλονται*) to God' (*Wars*, 5, 2. 2). He observes this providence in the history of Joseph: 'God exercised such a providence over him and such a care of his happiness as to bring him the greatest blessings even out of what appeared to be the most sorrowful condition' (*Ant.* 2, 2. 1). He might indeed have regarded his illustrious namesake as a type of himself, for he is constant in his expression of the divine providence over his own life, a belief that is not to be too readily attributed to his particular conceit, for it is the characteristic of all piety. Thus in the shipwreck in the Adriatic he, with some eighty others, was saved on a Cyrenian ship 'by the providence of God' (*Life*, 3)—an interesting parallel in circumstances

¹³ He politely avoids the comparison. For his polemic against the Epicureans see *Ant.* 10, 11. 7, and, for a personal comment, 19, 1. 5.

and religious theory to the story of Paul's shipwreck. In another imminent danger, from his enemies, he describes how he was saved by the report of the approach of friends, and adds, 'God perhaps (τάχα) also taking forethought of my safety' (*Life*, 58). And at the end of his life, looking back with a clean conscience upon the many malicious accusations that have been brought against him, some of them threatening his ruin, he concludes that 'by God's providence I escaped them all' (*Life*, 76).

But along with this most religious theory goes another point of view that sounds most pagan. In the story of his amazing escape from the hole where he had taken refuge after the fall of Jotapata, his companions, much against his own will, resolved to kill one another by lot so as not to fall alive into the hands of the Romans; but he 'not being resourceless and trusting in the guardian God hazards his safety (πιστεύων τῷ κηδεμόνι θεῷ τὴν σωτηρίαν παραβάλλεται)' and accepts the lottery. He and one other remained to the last and the two decided not to carry out the compact to the end; 'so he survived', he says, 'whether we must say by chance (ὑπὸ τύχης), or whether by the providence of God' (*Wars*, 3, 8. 7). And this doctrine of fate plays a considerable part in his notion of the administration of the universe.

That he discovered nothing alien to his Judaism in this element appears from his repeated classification of the Pharisees as those who believed in a providence or fate, wherein he says, they resemble the Stoics (*Life*, 2). He several times distinguishes the three schools of the Jews by their position towards determinism. According to *Ant.* 13, 5. 9 the Essenes are absolute determinists, the Sadducees do away with fate and take no account of it,

while 'the Pharisees say that some actions, but not all, are the work of fate (*είμαρμένη*, the word used through the section), but some are in our own power, both as to occurrence and non-occurrence.' Similarly, but with different proportion of language, according to *Wars*, 2, 8. 14: 'The Pharisees . . . ascribe all to fate and God (*είμαρμένη τε καὶ θεῶ*), and hold that doing right, or the opposite, lies for the most part in the power of men, although fate co-operates (*βοηθεῖν*) with each one.' Again in *Ant.* 18, 1. 3, the Pharisees, 'while holding that all things are done by fate, do not take away from man the freedom of impulse to the doing of them, for God thought well to make a composition between the purpose of fate and that of man, and the result is, as the case may be, virtue or evil'.¹⁴

In these statements Josephus is ambiguous, as every one must be in dealing with such recondite themes of theology, unless indeed he be a Calvin or Spinoza. Is his fate the same as the divine will, or are they distinct? In general, the affirmative answer is to be given on the supposition that fate was the Hellenistic affectation for the providence of the Hebrew religion. Yet at times he distinguishes the

¹⁴ See the collocation of these passages in Schürer, *History of the Jewish People*, § 26, 4th German ed., vol. 2, p. 449. Graetz polemicalizes against Josephus's theological distinction of the parties. But, divesting Josephus of his affected Stoicism, his practical use of determinism is in general fully consistent with the Scriptures. Compare Bretschneider, pp. 31 ff.; Paret, pp. 812 ff.; Poznański, pp. 10 ff.; Schlatter, pp. 49 ff. For the various uses of *τύχη* see Brüne, pp. 186 ff., and of *είμαρμένη*, *μεμοιραμένη*, *πεπρωμένη*, *χρεών*, pp. 122 ff., 205. It has not been noticed in these discussions that there was in the Jewish ethics the unsolved mystery of the Good or Evil *Yeser*. What this meant as a problem in that generation can be seen from Paul and the author of 4 Esdras. Only Josephus takes philosophically and in the terms of the scholasticism of his day what those deeper souls wrestled over.

two. This appears in the passage cited above from *Wars*, 3, 8. 5, where he is uncertain whether his miraculous preservation was due to chance or God. Or is this a bit of religious modesty? In *Wars*, 2, 8. 14, he speaks of fate and God. Are the terms epexegetical? That apart from the field of ethics the notion of an arbitrary or at least unintelligible fate was cherished by Josephus appears in his comment upon Josiah's refusal to let Necho pass through his realm, which resulted in his untimely death: 'fate (τῆς πεπωμένης), I suppose, urging him on to this' (*Ant.* 10, 5. 1). If ever there was a case in the sacred history which lay beyond human understanding, it is the tragic death of that good king, and Josephus was speaking as a man speaks in the face of a blind purpose. He cannot here preach his favourite doctrine of the divine forethought. And in the region where theologians fail we cannot blame Josephus's natural comment. Another example of his doctrine of fate appears in the laboured discourse over the share of blame in the tragic misunderstanding between Herod and his two sons, which led to the execution of the latter (*Ant.* 16, 11. 8). He balances the faults of the two parties, and then asks whether chance (τύχη) has not greater power than wise reason; and this necessity (ἀνάγκη), he says, 'we call fate (εἰμαρμένη), as nothing takes place except through it. And this was long before us the philosophy of the Law'. In commenting upon the death of the bold but rash centurion, Julian, at the attack upon Antonia, he says that 'he was pursued by fate, which he could not escape, being mortal' (*Wars*, 6, 1. 8).

In conclusion, it may be said that Josephus was technically untrue to his Judaism in his use of the word 'fate';

but that word stands for doctrines found in the Bible, and expressed his own experience before the divine inscrutability. Moreover, his Stoic phraseology was a *captatio ad benevolentiam* in his attempt to claim his religion as the world religion. Paul yields to the same tendency in his arguments with the Greeks. His quotation from the Greek poet, 'We are also His offspring,' can hardly be said to be Biblical in phraseology.

For Josephus history is a drama of theodicy, and he follows the suit of his Biblical copy in pointing out God's judgements. When he passes beyond the Scriptures less of this note appears. He records the divine punishment inflicted upon Herod the tetrarch and his sister Herodias for their specific sins (*Ant.* 18, 7. 2), and also the judgement of God upon the crimes of the Zealot partisans (see below). To his personal satisfaction he notes the divine penalty befalling his calumniator Catullus, who 'became as great a proof as ever was of the providence of God, how he inflicts penalty upon the wicked' (*Wars*, 7, 11. 4). To his mind the death at the moment of success of one of the Jewish defenders of Jerusalem exhibited 'in the acutest way possible the nemesis (*νέμεσις*) which befalls those who have good fortune without good cause' (*Wars*, 6, 2. 10).

This divine providence implies exact foresight and can be communicated to men in prophecies, dreams, and portents. This view is natural to one who believed unboundedly in the predictive character of Biblical prophecy, but for him it is corroborated by many experiences outside of the sacred history, as for instance in the omens which preceded the fall of Jerusalem (*Wars*, 6, 5. 3), and to his own personal satisfaction in the dreams and prophecies of which

he professed to be the medium and object. His prophecy of Vespasian's mounting the throne of the Caesars (*Wars*, 3, 8. 7) is famous. At the end of the section he gives Vespasian an anecdote corroborative of his prophetic powers. In an earlier section of the same chapter (§ 3) he records the spiritual experiences he had when in the cave hiding from the Romans; he had had a number of dreams of late, and being able to put together the things obscurely spoken by the Deity, and moreover as acquainted with the prophecies and being himself a priest, he became ecstatic (*ἐνθους*) and was given to understand that 'the power of the Jewish nation had gone over to the Romans'. He accordingly prays that as a prophet of the truth his life may be spared! The claim of a priestly right to the interpretation of dreams is of interest; he may have derived it from the powers claimed by the Hasmonaeans, notably Hyrcanus. His 'ecstasy' may have been learnt from the Essenes, who were past masters in spiritualistic practices. It is to be observed that he held the later suspicion against prophets as such and regarded the Urim and Thummim as a corrective to 'the evil practices of prophets' (*Ant.* 3, 8. 9).

Josephus naturally expatiates upon and expands the miracles of the sacred history. The prayer put by him in Moses' mouth at the brink of the Red Sea is a worthy piece of religious sentiment. 'Thine is the sea, thine the embracing mountain, so at thy bidding this can be opened or the ocean become a continent. Or we can escape even through the air, if it be thy will to save us in this fashion' (*Ant.* 2, 16. 1). Withal Josephus feels constrained to make some apology for these miraculous stories. After narrating the act of salvation at the Red Sea he proceeds

(*ibid.* 5): 'For my part I have communicated every one of these things as I have found them in the sacred books,' and he then gives as a corroboration of that wonder the story of Alexander's passage through the Pamphylian Sea. Upon the account of the wonders at Sinai he comments: 'Each of my readers may think as he will, but I am under the necessity of narrating these things as they are written in the holy books' (*Ant.* 3, 5. 2).¹⁵

Faith for Josephus seems to be primarily the right doctrine about God, e.g. ἡ περὶ τοῦ θεοῦ πίστις (*Apion.* 2, 16 [17]),¹⁶ but this faith is proved by the commensurate practice of the divine Law. He believes devoutly in prayer, as in his own emergencies, e.g. *Wars*, 3. 8. 3, and is convinced that God hears the prayers of the pious (*Ant.* 14, 2. 1; cf. Ep. James 5. 17 ff.). His expressions concerning prayer in the cult are beyond reproach: 'At the sacrifices we must pray first for the common welfare, then for ourselves; for we are constituted for fellowship (ἐπὶ κοινωνίᾳ γηγόμεν), and he who prefers this to his selfish interests is most pleasing to God. Let supplication and petition be made to God in prayer, not that he give good things—for he has given them voluntarily and made them common to all—but that we may be able to receive them and receiving them to keep them' (*Apion.* 2, 23 [24]). Compare in the New Testament, Matt. 5. 45; 1 Tim. 2. 1 ff., &c.¹⁷ He is a devout believer in the divine co-operation (συνεργία) for those who faithfully seek it; for example, in the story of Samson, *Ant.* 5. 8. 9, this faith

¹⁵ For other cases of similar expression see Poznański, p. 37.

¹⁶ See above, note 9.

¹⁷ For his terminology of prayer see Schlatter, pp. 76 ff., Brüne, pp. 99 ff.

is contrasted with the hero's preceding faith in his own virtue (*ἀρετή*).¹⁸

None is a stouter champion than Josephus for the One God as against the gods of heathenism, but he appears, whether from a natural liberality or for policy, to have respected other people's religions as well as their opinions—which after all was the only possible *modus vivendi* in the Empire. In his digest of the Mosaic laws (*Ant.* 4, 8. 4 ff.), the first of the Jewish digests, he thus (§ 10) interprets Exod. 22. 27 (28): 'Let no one blaspheme gods whom other states regard as such, nor steal things which belong to temples of other religions, nor take away any votive gift to any god.' We naturally recall Romans 2. 22, *ὁ βδελυσσόμενος τὰ εἰδῶλα ἱεροσυλεῖς*; also according to *Apion.* 2. 33 [34]: 'Our Legislator has forbidden us to laugh at or blaspheme those who are considered gods by others on account of the very name of God given to them.' He holds with the Christian apologists that Moses' notion of God was shared in by the Greek philosophers, Pythagoras, Anaxagoras, Plato, and the Stoics, but that these were afraid to disclose these opinions to more than a few because of the prejudices of the masses (*Apion.* 2, 16 [17]). Indeed these philosophers were followers of Moses (*ἐκείνῳ κατηκολούθησαν*) (*ibid.*, § 39 [40]), but Josephus never claims, like some Christian apologists, that they stole the doctrine.

For Josephus the Law is the perfect, complete, and final expression of the will of God. This is demonstrated absolutely by the fact that God gave that Law with his own voice which could be heard by all (*Ant.* 3, 5. 4), and empirically by the evidence he gives that no other people

¹⁸ See Paret, p. 822.

possesses so divine a law (*Apion.* 2, 15 [16] ff.). Also, intrinsically, this Law is the best possible, for it places religion (εὐσέβεια) as the climax of the virtues, and because it combines, as no other legislation has ever effected, both precept and practical exercise (*ibid.*, § 16 [17]). Further, its own unity and the orthodoxy of the Jewish people prove its worth. These characteristics of the Jewish religion are inculcated and enforced by an education that begins with earliest childhood (*ibid.*, § 17 [18]), including the 'appointment of every one's diet', and by the rigour of the execution of the laws, which allows neither favour nor excuse against the drastic penalties that are ordained. This discipline, he says, it is which 'first of all has created in us our wonderful consensus (ὁμόνοια), and that harmony of the Jews, the most perfect to be found among men, is due to their having the same opinion (δόξα) about God and entire identity in life (μηδὲν ἀλλήλων διαφέρειν)' (*Apion.* 2, 19 [20]). Accordingly there is no conflict among the Jews and also no contradictions in their views about God such as the philosophers insolently indulge in.

The Law, this supreme revelation of God, is distinctly a legislation, the written rule of life. Josephus uses constantly the terms νόμος, νόμοι, νομοθεσία (also νόμιμα πάτρια, &c.), and Moses is the Lawgiver (ὁ νομοθέτης). He glories in the word *nomos*, for he can prove that the Jews are law-abiding and the Gentiles lawless or law-breakers. In fact he makes the shrewd remark—for he is quite a philologist—that νόμος is a word not to be found in Homer, thus indicating that the early Greeks had no idea of law, the people being governed merely by wise saws and the prescriptions of their kings, which were always changing (*Apion.* 2, 15 [16]). It cannot be denied

that Josephus's position is one of Nomism, a position which, as we have seen, does not deny the elements of spiritual religion. Compare the expression in *Apion*. 1, 12 that the Jews 'consider it the most necessary business of life to keep the laws (*φυλάττειν τοὺς νόμους*) and the piety (*εὐσέβειαν*) handed down by tradition'.¹⁹ But for Josephus this Law is not a yoke of burden but of direction. For him, as for Paul, it was just and holy and good, but unlike Paul and in the spirit of the 119th Psalm, 'its reward is not silver or gold . . . but each one believes having his conscience as witness' (*Apion*. 2, 30 [31]). The Law has its divine energy which facilitates and executes it in men of good conscience. Herein is untainted Pharisaism. Moses provided the whole equipment of the spiritual life of his people, persuaded them (*ibid.*, § 16 [17]) to receive it, and took measures that it should be guarded effectively by those entrusted with it.

The Law has its social complement in a political body (*πολιτεία, πολίτευμα*),²⁰ a definite corporation, founded by a statesman legislator, and existing with the same rights as does any other nation. But it differs from all other polities in being—and Joseph consciously invents the term—a *theocracy*.²¹ This theocracy has God himself for its

¹⁹ Schechter, in *Some Aspects of Rabbinic Theology*, chap. 8, opposes the identification of *nomos* and *thorah*. But the Greek-speaking Jews, Palestinian quite as well as the Diaspora, deliberately adopted *nomos* as the sufficient expression, gloried in the term, and, as we learn from Josephus, carried out all its implications. See Paret, p. 825, Brüne, pp. 54 ff. Josephus only rarely uses the singular *νόμος*, for which he prefers *νομοθεσία*, but generally the plural—the reverse of Paul's use.

²⁰ See Brüne, pp. 57 ff.

²¹ He, at various points in the history, describes the polity as actually a monarchy, an aristocracy, a democracy, as the case may be, but his ideal is that of the theocracy, with the high priest as God's representative

invisible governor, while the corporate administration lies in the hands of the priests and of the high priest supremely (τὴν τῶν ἄλλων ἱερέων ἡγεμονίαν, *Apion.* 2, 21 [22]). Under this hierarchy the body of the people functions as a wholly religious community, 'the whole polity being ordered as a sacred rite' (ὥσπερ δὲ τελετῆς τινος, *ibid.*, § 22 [23]).

This functioning of the whole people is constant, unlike the broken rites of the Gentiles (*ibid.*). Thus, on the one hand, the Jews are a nation with all the rights and advantages thereof, on the other a church-state of divine authority and sanction. Its members are its citizens, its practice is a body of laws, the success of which is due in part to the people's unfailing obedience, in part to the unfailing severity of their execution (§§ 17 f. [18 f.]). The Jewish polity is comparable to Plato's Republic (§ 36 [37]). But its characteristic is religion, not politics.

Josephus never questions the divine election of Israel.²² God was peculiarly their Creator (ὁ κτίσας, *Wars*, 5, 9. 4). And yet, as Bertholet points out, 'he stands, in one word, at the height of Jewish universalism'.²³ He cites Josephus's expressions about that religion as the εὐσέβεια ἀληθεστάτη (*Apion.* 2, 41 [42]) and the κοσμικὴ θρησκεία (*Wars*, 4, 5. 2) as proofs of Josephus's implicit belief in Judaism as the one true religion.²⁴ Our author takes an intense pride in the spread of the Diaspora over the world, for, as he maintains, there is no city of the world where the Jewish customs

²² See Schlatter, pp. 67 ff., for his doctrine of the God of Israel.

²³ *Die Stellung der Israeliten u. der Juden zu den Fremden*, p. 294.

²⁴ Josephus frequently lays his finger, somewhat artlessly, upon the main count in the current anti-Semitism, that of unsociability. He takes pains to deny the grounds of such calumny, e.g. *Ant.* 8, 4. 3; *Apion.* 2, 28 f. [29 f.], 41 [42]. He himself was animated by a cosmopolitan friendliness; cf. Bertholet, p. 291.

of Sabbath and fasts and lighting of lamps and prohibitions of foods have not come and provoked imitation, and all men try to imitate us in our concord and charity and diligence in trade and fortitude in persecutions (*Apion.* 2, 39 [40]). He concludes the paragraph with the triumphant and noble remark that it is 'most remarkable that the Law, without any inducement of pleasure and bare of seductions, has prevailed by itself, and as God pervades (*πεφούτηκεν*) all the world so the Law has progressed (*βεβάδικεν*) among all men'.²⁵ In the preceding section he breaks out in a strain of ringing enthusiasm; for though, he says, we be deprived of our wealth and cities and other advantages, 'the Law remains for us immortal' (*ὁ γοῦν νόμος ἡμῶν ἀθάνατος διαμένει*). He would fain see the One Law of the One God becoming the One Religion of the whole world.

But despite this catholic ideal of the Jewish religion no infringement of its Pharisaic character is even suggested.²⁶ Josephus was no trimmer in religion whatever he was in politics. The chief formal obstacle to the spread of Judaism, the rite of circumcision, is stoutly championed by Josephus. His particular argument against Apion, who ridiculed the Jews for their animal sacrifices, their rite of circumcision, and abstention from pork (*Apion.* 2, 13 [14]), is of interest. He asserts against him that the Egyptian priests themselves practise these rites, and adds the humorously malicious note that Apion himself died from the effects of an operation of circumcision performed

²⁵ See Paret, pp. 838 ff., for Josephus's missionary enthusiasm, and for his propagandism, Brüne, pp. 215 ff.

²⁶ For Josephus *εὐσέβεια* is the practice of the cult; see Schlatter, p. 76; Brüne, p. 98.

upon him as a medical measure. In the *opus magnum* on Jewish theology and cult which he prospected (*Ant.* 20, 12), he planned to give among other things the reason (*αἰτία*) for circumcision (*Ant.* 1, 10. 5). In individual instances he extols the virtue of those who became circumcised, for example, of King Izates, son of Queen Helena, who, despite the political embarrassment involved, accepted the rite and was rewarded for his piety by the special providence of God as shown in his fortunate life (*Ant.* 20, 2. 4).²⁷

For the equal stringency required by Josephus for the laws of Sabbath, foods, purity, &c., I refer to previous discussions.²⁸ He does not consider the question whether these ordinances were an obstacle to the diffusion of Judaism as the world religion. On the negative side, that the Jews should be allowed to follow their own rites in their own way without interference or ridicule, the more so that similar rites were practised by all other peoples, and each nation had its own religion (e. g. *Apion.* 2, 36 [37]), he is most reasonable, but he avoids the objections which might be made to many of the principal points of the Jewish law. It would be interesting if he had written his

²⁷ This story is instructive as to the variety of opinion concerning the necessity of circumcision for proselytes. Izates' first teacher, one Ananias, excused him, against his own desire from the rite on the ground that the worship of God (*τὸ θεῖον σέβειν*) was more obligatory than circumcision (*κυριώτερον τοῦ περιτέμνεσθαι*). But a Galilaean, Eleazar, came on the scene, who reproached Izates for his neglect: 'Read thou and see that irreligion (*ἀσέβεια*) would consist in just such avoidance. You must not only read the laws but practise them!' However, Josephus took the humane attitude in objecting to forcible circumcision, in an instance which came under his official purview in Galilee (*Life*, 23). Despite Paret's remark to this effect, p. 837, he gives no approbation to Aristobulus's enforced circumcision of the Ituraeans (*Ant.* 13, 11. 3).

²⁸ Paret, pp. 827 ff.; Brüne, § 35.

magnum opus theologicum, in which doubtless he would have displayed the reasons for circumcision and similar rites. Doubtless he would have given such 'symbolical' explanations as appear, for instance, in Pseudo-Aristeas, where the laws of foods and purity are so treated, although circumcision is ignored.

This question leads on naturally to the discussion of Josephus's 'Alexandrianism' and his allegorizing tendencies. He is of peculiar interest in regard to that trend of early Judaism, for in him we observe, as in a full-length portrait, a Palestinian and Rabbinic Jew, who was nevertheless *au fait* with the Hellenistic philosophies.²⁹ So far as we know he never went out of Palestine except for a voyage to Rome in his young manhood until his exile after the fall of Jerusalem. After his release by Titus he paid a visit to Alexandria and married a wife there (*Life*, 75, cf. *Apion*. I, 9). Some scholars would make much of his Alexandrianism, for example, Gfrörer and Dähne,³⁰ but Poznański's position is much more reasonable, that this tendency was not a part of Josephus's principled theology.³¹ However, he was well enough read, or informed, and ingenious enough to be able to use the Alexandrian schemes, as for instance in his allegorical interpretation of the equipment of the tabernacle (*Ant.* 3, 7. 7). But for him, the sober historian ('der nüchterne Historiker', so Poznański), this was more a *jeu d'esprit*, thrown out in

²⁹ See Brüne, §§ 52-4.

³⁰ Gfrörer, pp. 656 ff.; Dähne, pp. 240 ff. For Josephus's possible acquaintance with Philo's writings see Thackeray in Hastings's *Dict.*, p. 471; Schürer, *Gesch. d. jüd. Volkes*,⁴ I, p. 81, n. 10.

³¹ Poznański, pp. 33 ff. Brüne goes much too far on the other hand in pressing Josephus's antimystical rationalism (e. g. p. 115) and ignoring his natural hospitality of mind.

apology to the Greek world. In fact there was no other way of making the minutiae of the Jewish law attractive to the poetic and philosophic Greeks. Nevertheless, it is of interest to observe a pre-Talmudic Jew of rabbinical status and Palestinian origin recognizing and using this arm of propaganda, and the observation should caution us against drawing too fast a line between 'Palestinian' and 'Hellenistic'. The educated Jew at home or abroad was even then a good deal of a cosmopolitan in his intellectual equipment.

Josephus was enough of a dilettante to have a taste for the mysteries of religion, and he shared this with some of the most reputable founders of the Talmudic system. For him there was a secret Kabbala or Tradition which it was unlawful (*οὐ θέμις, ἀθέμιτον*) to reveal. Of course he dares not pronounce the Name of God (*Ant.* 2, 12. 4), and with absurd affectation he says he may not declare publicly what was written on the two tables of stone (*Ant.* 3, 5. 4), although he proceeds at once (§ 5) to repeat the Ten Commandments. There is evidently hovering over him the notion of an esoteric tradition such as Rabbinism held to. The interpretation of these laws is the work of the priests (e.g. *Apion.* 21 f. [22 f.]), and he lays no stress on the authority of the doctors of the Law.

In his doctrine of the temple Josephus reveals himself as a philosophic historian in his fine expression concerning it, at once a sufficient statement of its solity and a noble apology for its unique purpose: 'One God, one temple (*εἷς ναὸς ἐνὸς θεοῦ*), a temple common to all of the common God of all, for,' he adds, 'everything demands congruity for itself' (*φίλον γὰρ ἀεὶ παντὶ τὸ ὅμοιον*) (*Apion.* 2, 23 [24]).

With this we may compare the similar assertion in *Ant.* 4, 8. 5, in the rendering of Moses' injunction to build but one temple: 'Let there be neither temple nor altar in another city, for God is one and the Hebrew race is one.' The temple is the visible capstone of the Theocracy. There, despite any rationalism or Hellenism which may have lurked in his mind, as he makes Solomon pray at the dedication (μοῖράν τινα τοῦ σοῦ πνεύματος εἰς τὸν ναὸν ἀποικίσαι), some part of the divine Spirit dwells, 'so that thou mayest appear to us on earth' (*Ant.* 8, 4. 3). This presence was exhibited in the Solomonic temple by the descent of a cloud (§ 2), even as God made his presence visible in the tabernacle (*Ant.* 3, 8. 5) in a cloud dropping a sweet dew, so 'revealing the presence (παρουσία) of God to those desiring and believing in it'.³² God is spatially unbounded, He may have His 'epiphanies' when and where He will throughout the world, for example, at the Red Sea (*Ant.* 2, 16. 2), but the Biblical doctrine of the peculiar presence of Deity in the temple, sensible to believers, is unquestionably accepted by Josephus.³³

The tragic *dénouement* of the history of that holy place

³² I may refer to a suggestion of mine in *Journ. Bib. Lit.* 29, 39 ff., that Ps. 68 is a Dedication hymn; the reference to the rains accompanying the theophany in verses 8-10 may then be connected with this mystical belief in the dewy presence of God in his sanctuary.

³³ Schlatter, p. 72, has some pertinent remarks concerning Josephus's dominating interest in the temple, that it was a religious interest as over against the political nationalism of many of his people. 'Die Freiheit der Gemeinde, für die die Zeloten kämpften, bildet für J. nicht ein mit Leidenschaft beehrtes Ziel; er ist zufrieden mit dem Recht zur Ausübung des Kultus, das der römische Staat der Judenschaft gewährt. Den Verlust des Tempels hat er dagegen schwer beklagt. Dadurch unterscheidet er sich von den Zeloten, die bei ihrem Kampf vor allem die Befreiung der Gemeinde anstrebten . . .'

is the most engrossing point in Josephus's revelation of his experiences. In the camp of the attacking army, a renegade to the mind of its valorous defenders, he saw it destroyed. We possess one Biblical parallel of an eye-witness's memoirs of a destruction of the Holy City and its temple, Jeremiah, and far apart as he and Josephus are in personality and character, we cannot avoid the comparison. Josephus remained a convinced Jew to the end, and his philosophizing is of equal interest with all other Jewish testimonies.

In *Wars*, 5, 9. 4, he retails to us the speech which he says he made to the defenders on the walls. It is a survey of the past history, quite on the lines of the Deuteronomic historians: the nation's and Jerusalem's fate has ever depended upon the will of God according to the people's righteousness or wickedness. The present calamity has come as divine punishment, although it is not too late to recognize their sins and surrender to the Romans. But things have come to such a pass that 'I think that God has fled from the sanctuary and stands with those who fight against you'. One is reminded of a certain prophet's vision of the dramatic departure of the Glory of the Lord from His temple (Ezek. 10). In the preceding paragraph (§ 3) he pictures how invincible is the dominion of the Romans, a manifest token of the will of God and how 'fortune (τύχη) has on all sides gone over to them, and God, having passed the dominion about among the nations, is now in Italy' (νῦν ἐπὶ τῆς Ἰταλίας εἶναι). It was a Jeremiah who bade his people pray for the peace of Nebuchadnezzar and Babylon, and while here we have no Jeremiah weeping over the ruins of Jerusalem nor the pathetic outpourings of the writer of 4 Esdras, it is the

opinion of a philosophic Jew, a student of the philosophy of his people's history. A certain pathos appears in Josephus's attribution elsewhere of the destruction of the temple to a certain divine fate, as though the tragedy lay beyond human computation (*Wars*, 6, 4. 5), and I think it is the human factor we should observe in this thought of despair rather than its gross philosophic expression. The temple was set on fire against Titus's express orders. But on the very anniversary of the day on which it was burnt by the king of Babylon and according to the doom of God (τοῦ δὲ ἄρα κατεψήφιστο μὲν τὸ πῦρ ὁ θεὸς πάλαι) 'the fated day came round again' (παρῆν δὲ ἡ εἰμαρμένη χρόνων περίοδος).³⁴ The soldier who started the conflagration was seized with 'an inspired fury' (δαιμονία ὁρμή),³⁵ as though proving that this was the work of God. It was a deserved purging of the city by fire³⁶ (e.g. *Ant.* 20, 8. 5). Yet there is hope in the future for the miserable city: 'Oh, mayest thou grow better again, if ever thou canst propitiate the God who destroyed thee!' (*Wars*, 5, 1. 3). With these words he rings down the curtain on the future of his nation. The temple and its cult were destroyed, he had no Messianic hope,³⁷ there was left for him but the practice of his religion as the Jews had learned to practise it in

³⁴ Cf. § 8 θαυμάσαι δ' ἂν τις ἐν αὐτῇ τῆς περιόδου τῇν ἀκρίβειαν, and in the same paragraph he remarks that 'one can take comfort from fate (τῇν εἰμαρμένην), which is unescapable, as for animate things, so for things made and places'.

³⁵ For δαιμόνιος cf. Brûne, p. 122.

³⁶ As Brûne notes, a Stoic theologumenon, pp. 107, 205 f.

³⁷ See Poznański, pp. 28 ff. The nearest approach to a Messianic theme is his reference to the meaning of 'the stone' in Dan. 2, 'which I do not think proper to relate' (*Ant.* 10, 10. 5). It was a perfectly logical development of Pharisaism for him to apply the popular prophecy that 'some one from the land of the Jews should rule the world' to Vespasian (*Wars*, 6, 5. 4). Cf. John 19. 15.

their wide dispersion through the world. We leave him settled in comfortable quarters in the Caesar's palace (*Life*, 76), making and unmaking his marriages according to Jewish law (§ 75), with his tax-free property rights in Palestine (§ 76), in the possession of a copy of the Holy Books given him by Titus (§ 75), one who marks the termination of the old order for the Jewish people, leaving the future which he cannot pry into in the hands of the school of Jamnia and the obscure Christian sect which he does not deign to notice.³⁸

For the future he looked forward with a Pharisee's sure hope in a blessed immortality. This is the confidence of the martyrs (for example, Eleazar's speech at Masada, *Wars*, 7, 8. 5), as equally the caution against those who would despise this body (see his own speech against suicide, *Wars*, 3, 8. 5, and compare 1 Cor. 6. 18 ff.). Every one has the witness of conscience within him that those who die for the Law will live again and enjoy a better life (*Apion*. 2, 30 [31]). The souls of the pure will be allotted the holiest place in heaven, whence after the revolution of ages they will be housed again in pure bodies, but the souls of the wicked blackest Hades will receive (*Wars*, 3, 8. 5).³⁹ There is no idea of the resurrection of the physical body; it is the Pharisaic opinion, he says (*Wars*, 2, 8, 14), that every soul is immortal and that only the souls of the good pass over into other (ἑτέρον) bodies, while those of the wicked are punished eternally.⁴⁰

³⁸ Brüne maintains, pp. 218 ff., that there is a covert polemic against the Christians throughout Josephus's writings, but without proof.

³⁹ See Poznański, pp. 25 ff.; Brüne, pp. 94 ff.

⁴⁰ For the diversity of orthodox opinion about the resurrection see Bousset, *Die Religion des Judentums*,¹ pp. 255 ff., especially p. 259, and M. Hughes, *The Ethics of Jewish Apocryphal Literature*, pp. 309 ff.

Josephus is no mere chronicler, nor is he only a Midrashist, although Midrash he could write at tiresome length.⁴¹ He was a convinced Jew, schooled in the learning of Judaism, if not a rabbi in the later sense of the word; a man of distinguished parts, able to sum up and express pithily his judgements of facts rather than of persons. A philosopher of religion rather than a theologian, his business was that of an apologist for his people and his religion. His *Contra Apionem* is logically one of the finest of all Jewish and Christian apologies, and his *Antiquities* as well was written under the impulse of the loyal defence of the faith. He is worthy of more attention than has been paid to him, for, as it may justly be said, he is the only personality preserved to us who speaks sympathetically at length and at large for the Judaism of the first century. Apart from the anonymous documents which have passed into the Christian Apocrypha, we possess three personalities from the Judaism of that age who are technically qualified to speak for it and whose writings we possess at any length: Philo, a philosopher of the chair, Paul, the militant combatant of the Rabbinism he was born in, and Josephus. If for no other reason than that of *pis aller* we are bound to consider his very human and personal aspect of Judaism and to weigh his sympathetic testimony in appreciating its religion.

⁴¹ I doubt if there is any better example in all literature of absurd homiletics, of unfortunately most common type, than his moral reflections on Saul and the witch of Endor in *Ant.* 6, 14. 4. It looks as if he wished to kick up the dust about Saul's rather scandalous end.

THE BOOK OF ESTHER IN THE LIGHT OF HISTORY

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CHAPTER V

The term 'Judeans'—The renascence of Israel's religion—National aspirations—The religious propaganda among the exiles—Religious creeds and the conduct of their adherents—The hatred of the Babylonian exiles towards Babylonia—The attitude of the Judeans in Egypt towards this country—The conduct of the wealthy Judeans in Babylonia—The cause of persecutions—The Judeans' attitude towards the Persians—Zoroaster's 'monotheistic' religion—The characters of Mordecai and Esther—The two opposing tendencies within Judaism—Mordecai versus Ezra and Nehemiah—The effect of the religious persecutions—The predicament of the Sopherim—The omission of all religious elements in the Book of Esther—The attitude of the Rabbis towards this book—The omission of the names of Mordecai and Esther in Sirach's *Fathers of the World*.

IN the preceding chapter we have demonstrated that the Ahasuerus of the Book of Esther is to be identified with Artaxerxes II. Now it remains to prove that the main event of our story actually occurred under that king's reign. Before, however, proceeding to deal with that event, it is indispensable to outline the conditions and the character of the Jews during the Babylonian captivity and the Persian period; for the misinterpretation of the Book of Esther in ancient and modern times is mainly due to misconception on those points. In the first place we have to investigate the term 'Jews' (יהודים).

In pre-exilic times, the inhabitants of the kingdom of Judea, irrespective of their descent, had been termed 'Jews'

(יהודים).¹ Even those who were worshippers of Baal, Moloch, or Astarte, who were the citizens of that country, were nevertheless called 'Jews'. This appellation was used without the least regard to their beliefs. The practice of idolatry did not deprive any one of his nationality. On the other hand, Gentiles who had adopted the religion of Jahveh, but had not become inhabitants of Judea, were, of course, not called 'Jews' (יהודים), and still remained members of their own nationality.² Thus the term 'Jews' had not the least religious significance.

What were the criteria of the Judean nationality of the inhabitants of Judea who had been carried into the Babylonian captivity, or had migrated to Egypt? The Hebrew language³ and the national consciousness! But

¹ The term יהודים (2 Kings 16. 6; 25. 25; Jer. 32. 12, &c.), includes all inhabitants of Judea, even those who did not belong to the tribe of Judah (cf. Ges.-Buhl's *Hwb.*, p. 311).

² It goes without saying that the worship of Jahveh, as generally practised by the people in the pre-exilic period, was not restricted to the state of Judea, and thus was not characteristic of the inhabitants of this country. There were the inhabitants of Samaria who claimed to be worshippers of Jahveh (Ezra 4. 2). The name *Jaū-bi'di* of the king of Hamath points to the existence of that worship in the latter country. In this fact we may see a corroboration of the reading *Jōram*, the name of the son of the king of Hamath (2 Sam. 8. 10), of which we find the variant *Hadōram* (1 Chron. 26. 25). The name *Azri-jau* of the king of *Ja'udi* (cf. Winckler, *Altorientalische Forschungen*, I, 'Das Syrische Land Jaudi und der angebliche Azarja von Juda') leaves no doubt that the Jahveh-worship existed in the latter country. But we may wonder whether it is a mere coincidence that the name of that country is identical with that of Judea, in the cuneiform inscriptions, and that in both countries the Jahveh-worship is found. Who knows whether there is not after all some ethnological connexion between these two countries. For the legal status of foreigners among the Jews cf. Ed. Meyer's *Entstehung des Judenthums*, pp. 227-34.

³ Hebrew was still the national tongue, as in the period of Hezekiah (2 Kings 18. 26), and had not yet been superseded by Aramaic, as we may learn from the words of Ezekiel: 'For thou art not sent to a people of

on a foreign soil these distinctive marks could not have endured for a long period. The succeeding generations, born in those countries, could not but adopt the idiom of the population among whom they were dwelling, with whom they were in intercourse. Their own national tongue was scarcely of any use in their daily pursuits, and this fact must have been detrimental to its preservation. Nor could the national consciousness of those generations survive for a long space of time. Gradually it must have evaporated. There was nothing that should have prevented the descendants of those captives or immigrants from being absorbed in the nations among whom they dwelt. Their assimilation with the latter seemed to have been inevitable.

The complete disappearance of the remnant of Israel was averted by the *renascence* of the Religion of Israel. The religious ideas, propagated by the prophets of the captivity and a small number of zealous Jews, made rapid progress, not only among their own fellow captives of Judea, but also among Gentiles. The result of that religious movement apparently was the preservation of the Jewish nationality. But as a matter of fact, a new principle was now being proclaimed. This did not result in *restoration*, but in *reform* of the Jewish nationality. Henceforth, neither descent, nor language, but religion, was the criterion of 'Jews'. However, the religion the exilic prophets resurrected could not be restricted to the narrow bounds of the Jewish nationality. The national barrier had to be removed, and every one was invited to a strange speech and of a hard language, but to the house of Israel' (Ezek. 3. 5). Even after the return from the captivity, Hebrew continued to be the common language, as we may adduce from the words of Nehemiah (13. 24), that the offspring of those who married non-Jewish wives could not speak the Jews' language.

enter into this religious union and was gladly received. Those who accepted this invitation, and entered into the Covenant of Israel, became at the same time 'Jews' (יהודים). Consequently, the Jewish nationality disappeared from the scene, and its place was taken by the Jewish religious community.⁴ The latter included, on the one hand, all adherents of the Jewish religion, even Gentiles, and, on the other hand, excluded all idolaters, even those who belonged to the Jewish race.⁵

There were, indeed, Jewish patriots who thought differently. They saw in the religious movement an effective force for the Jewish national resurrection, whose preservation could be effected only on a racial basis. These claims could not but deeply hurt the feelings of the newly-converted Gentile, who bitterly complained: 'The Lord hath utterly separated me from His people'.⁶ But those national aspirations were nipped in the bud by the great

⁴ Ed. Meyer (*Gesch. d. Alt.*, III, p. 183) arrives at the same conclusion, but from a point of view which the present writer does not share, in observing: 'The community is no longer national, but had become a religious association which makes propaganda and enlists adherents among foreign tribes.' Cf. also his *Entstehung d. Jud.*, p. 233 f. He points to the large number of proselytes in the Greek and Roman periods. The Semites of the Western countries, who were captives like the Jews, may have associated with the latter rather than with the Babylonians, and thus were easily persuaded to embrace their creed.

⁵ We shall see further below that the latter were designated as בני נכר 'sons of the stranger'.

⁶ Isa. 56. 3. There must have been a national party which was dissatisfied with Ezekiel's declaration, that the proselytes should become equal citizens in the land restored to Israel, who said: 'And it shall come to pass that ye shall divide it by lot for an inheritance unto you, and to the strangers that sojourn among you, which shall beget children among you: and they shall be unto you as born in the country among the children of Israel. They shall have inheritance among you among the tribes of Israel' (Ezek. 47. 22).

exilic prophet, the so-called 'Second Isaiah', who proclaimed: 'Also the sons of the stranger which join themselves to the Lord to serve Him, and to love the name of the Lord, to be His servants, every one who keepeth the Sabbath from polluting it, and taketh hold of my covenant. Even them will I bring to my holy mountain, and make them joyful in my house of prayer; their burnt offerings and their sacrifices shall be accepted upon mine altar; for mine house shall be called a house of prayer for all people'.⁷ In accordance with this principle, Jewish nationality receded into the background, and the religion became its postulate. The idea of Jewish nationality required adherence to the Jewish religion, not, however, *vice versa*. Idolaters of Jewish descent ceased to be 'Jews', and Syrians, Babylonians, &c., who accepted the Jewish religion, became at the same time 'Jews' (יהודים). The latter term lost its gentile significance and became a religious designation. In post-exilic times, the pagans who lived among the Jewish people in Judea, though inhabitants of this country, were never termed 'Jehūdīm'. The truth of this definition was felt by the Rabbis, who expressed this idea in observing, 'Everybody who denies idolatry is called a Jew' (יהודי),⁸ and further assert that the

⁷ Isa. 56. 6, 7. This prophet went still further than Ezekiel. To him it is irrelevant whether the stranger who worshipped Jahveh lived among the Jews or in his own country. The house of God is the common property of all nations, and everybody is made welcome here. There is only this difference between Jews and Gentiles; the former are condemned for forsaking the God of their ancestors, while no blame is attached to the latter, if they refuse to join the Lord and adhere to their ancestral deities.

⁸ Talmud Babli Megillah 13a: בל הכופר בעבודה זרה נקרא יהודי. The Talmudic expression, however, is misleading. A gentile denying the divinity of idols and refusing to worship them does not become thereby a 'Jew'. The Talmud of course means that every Israelite who refuses

biblical commandment, 'This is the ordinance of the pass-over: There shall no stranger eat thereof', exclusively refers to a Jewish idolater.⁹ The latter is thus, notwithstanding his Jewish descent, termed 'the son of a stranger' (בן נכר), according to the Rabbinic conception. The same term which is used by Ezekiel, 'Thus saith the Lord God: no stranger, uncircumcised in heart, nor uncircumcised in flesh, shall enter into my sanctuary, of any stranger that is among the children of Israel',¹⁰ may have the same meaning. We see, then, that the appellation 'Jews' (יהודים) in the exilic and post-exilic periods was a purely religious designation,¹¹ and not a national term, like 'Nazarenes' for 'Christians' in the Middle Ages. It is of interest to notice that יהודי is the only gentile noun from which a verbal noun, מתייהדים 'becoming Jews', is derived, but we nowhere meet with a similar derivation from other gentile nouns, as אדומי 'Edomite', ארמי 'Aramean', יוני 'Greek', מצרי 'Egyptian', &c. The author of the Book of Esther who

to recognize idols, even a descendant of any other tribe and not of Judah, is nevertheless called a 'Judean'. The same is of course true of proselytes.

⁹ See Rashi on Exod. 12. 44.

¹⁰ Ezek. 44. 9. In the following passages the prophet excepts the Levites, though they had been idolaters. Thus the former passage seems to refer to Israelites, not to utter strangers.

¹¹ Cassel, *l.c.*, p. 40, is the only commentator who correctly perceived that יהודים in Esther is a distinctly religious, not a national, term. But he was wrong in believing that the name 'Israel' remained the ideal designation characteristic of the relation of God to Israel. On the contrary, the term 'Israel' has a purely national signification, including even those who are not 'sons of the covenant' (בני ברית), according to the Rabbis, and as can be seen from the term פושע ישראל. It is of interest to see how the modern commentators contradict themselves. They generally see in יהודים a national term (cf. Siegfried, p. 141 and others), and nevertheless almost all of them entertain no doubt that the story of Esther reflects the events of the Maccabean period, though these events had a purely religious character.

used that derivation knew that the appellation *Jehūli* was a religious term.¹²

The words of the Babylonian Isaiah, quoted above, indicate that the promoters of the religious movement did not content themselves with the conversion of their own brethren, but became aggressive, and carried their religious ideas into the camps of the Gentiles. The religious propaganda, carried on successfully, produced the same change of conception concerning the term 'Jews' among Gentiles as among the Jews themselves. Seeing people of non-Jewish descent embracing the Jewish religion, the Gentiles used the term 'Jews' in a religious sense. This neither implied that an adherent of the Jewish religion was of foreign descent, nor that the family of such a one belonged to the same creed, which was an individual belief, regardless of family, race, and country.

What reason may we advance for the great success of that religious revival among the Judean exiles? Did the latter attribute their great miseries, the loss of their country and of their freedom, to their evil conduct and transgressions against the God of their ancestors? This may have been the case with a small fraction of the exiles. But if we should judge the reasoning of the average of the Judeans by the behaviour of their brethren in Egypt,¹³ we would be forced to the conclusion that the sufferings they experienced produced just the opposite effect, inducing them to believe that their misfortune was due to the wrath of the gods whose worship they neglected.¹⁴ Shall we

¹² For the author's statement that many embraced Judaism, see the discussion of that subject in chapter IX.

¹³ Jer. 44. 16-19.

¹⁴ Ed. Meyer (*G. A.*, III, p. 177) assumes that the Babylonian Jews

ascribe that success to the eloquence of the exilic prophets, and the lofty ideas of religion and morality they proclaimed? In their former country the Judeans had prophets whose eloquence and religious ideas were by no means inferior to those of the captivity, and yet they were not persuaded by their arguments and exhortations.¹⁵

The average man hardly ever judges religious creeds on their own merits, but by the conduct and deeds of their adherents. In their actions and behaviour he sees the

thought differently from their own brethren in Egypt. This is correct, as we shall further see. But he ought to have been more explicit and inform us of the reason why they did think differently.

¹⁵ This question is hardly touched upon by Ed. Meyer, *l.c.* He sees in the exiled Jews strict adherents to the Jahvistic religion, with the exception of a few who were soon lost among the gentiles, and does not give credence to the accusation of Ezekiel that they were idolaters, considering chapters XIV and XX mere fiction. This historical conception is decidedly erroneous. There is no denying the fact that the Jews who remained in Judea continued to be idolaters, notwithstanding the introduction of the Law by Josiah. For this fact we have the testimony of the eye-witness Jeremiah (19, 25, 32, 33, &c.). Those who were carried into captivity could not have been different from those who were left behind. Nebuchadnezzar did not select religious Jews as captives. Those who were carried away belonged to the partisans of Egypt, and there is no reason why they should have been more religious than the others. As to the chapters dealing with the idolatry of the Jews being fictitious, such an assertion is rather daring. The prophets frequently made predictions which did not come true. But none of them would have dared to make accusations which were not true. Ezekiel wrote his book for his contemporaries, not for modern historians. If he had accused them of sins they did not commit, the prophet would have lost his reputation for veracity and discredited all his prophecies. Ed. Meyer seems to have overlooked to whom the prophet addressed himself in those chapters, not to the common people, but to 'the Elders of Israel'. Most of the common people abandoned idols not long after their arrival at Babylon, but not the wealthy classes, as we shall see further on. Renan (*History of the People of Israel*, VII, 1) does not explain how the *anavim*, 'the pietists, the fanatics', became prominent in Israel. Nor does Graetz, in his *History*, I, p. 332, though his description of the exiles is partly correct.

influence of their religions. Therefore, just and benevolent intercourse of members of a religious creed with their fellow-men will help more towards disseminating their belief than the highest code of ethics. On the other hand, unfair and malicious dealings of members of any creed will do more towards discrediting the latter than the worst ethical conceptions. A people, as a rule, is favourably inclined towards the religion of its friends, and is easily persuaded to follow their example, but detests that of its enemies, without investigating which of the two religions is of higher quality. This may be the reason why the Israelites, during the period of the Judges, were willing to imitate the idolatrous worship of their friendly neighbours, but always turned back to the God of their ancestors when oppressed by them.¹⁶ This repentance may have been a purely psychological process, and not the effect of religious convictions. The modern scholars who contend that the Mosaic Code contains numerous Babylonian rites and myths, taken over in the exilic period, leave out of consideration the character of the Jews. The latter have been living among Christian nations for the last sixteen hundred years. And yet we do not find any rite or custom the Jews adopted from their Christian neighbours during this long period. This remarkable phenomenon is by no means due to the rigidity of the Jewish religion. In modern times, in liberal countries, where Jews are treated more or less fairly, many have abandoned ritual laws of the Bible and Talmud, and have even adopted Christian customs. The Spanish Jewish preachers, six hundred years ago, who considered the stories of Genesis pure mythology, and saw in the Patriarchs and the Twelve Tribes personifications

¹⁶ See Judges 3-13.

of the planets and the signs of the Zodiac,¹⁷ were quite capable of changing the Jewish religion in the most radical manner, but for the persecutions the Christians continually inflicted upon the Jews. In paraphrasing a Talmudic saying, we may venture the paradoxical statement: The Christians did more for the preservation of the Jewish religion by their persecutions, than did the Prophets and the Talmudic literature.¹⁸ The same, of course, holds true of the Mohammedans. The Bible undoubtedly contains many ideas similar to or identical with those of the Babylonians. If they originated in Babylonia, they must have been transmitted to the Jews in a very early period,¹⁹ not at a time when the Jews suffered under the heavy yoke of that empire.²⁰

¹⁷ See the Responses of (ר"ש"ב"א") *בבלי שלמה בן אדרת*, No. 415.

¹⁸ The Talmud observes: 'The seal-ring which Ahasuerus gave to Haman effected a greater success than the forty-eight prophets who rose in Israel: it did what none of them was able to do, to cause them to repent of their sins', *Megillah* 12 b.

¹⁹ In the present writer's opinion, the transmission to Israel of ideas developed in the Euphrates Valley dates back to a pre-Mosaic period (cf. *Jewish Quarterly Review*, New Series, vol. I, pp. 147 ff.). Of the same opinion is also Jastrow, in his recent work, *Hebrew and Babylonian Traditions*, New York, 1914, p. 4. Albert T. Clay takes a different position, in his work *Amurru*, Philadelphia, 1909, and contends that the Babylonian religious conceptions developed mainly in the Westland, the home of Israel.

²⁰ Renan (*History*, VI, 1) remarks: 'It is our opinion that the *pious* Jews who were captives in Babylonia willfully closed their eyes to all that surrounded them, like Bretons transplanted to Paris who will not look at anything and depreciate all that passes under their eyes.' The analogy is rather incorrect. Paris did not destroy Bretagne, and thus the Bretons have no reason to detest the former city, and merely look down contemptuously upon this state of luxury. The Judeans, however, had ample reason to abominate Babylonia, even those who were not pious. Jastrow, in the work cited above (see preceding note), correctly observes that the Hebrews were in no mood to assimilate ideas from those who appeared to them in the light of ruthless destroyers.

The Judeans led into captivity to Babylonia naturally hated intensely the people which had deprived them of their liberty. Their conqueror, Nebuchadnezzar, was by no means a cruel monarch. He was a generous robber, and had no desire to destroy his victims utterly. Though depriving the exiles of their possessions and their freedom, he gave them means of subsistence in his native land. The prophets Jeremiah and Ezekiel, seeing in this king the instrument of Jahveh's judgement, were grateful to him for his gentle treatment of the exiles, and even represented him as the 'servant of Jahveh'. But the victims themselves thought differently on this point. Little did they care whether he was an instrument in the hand of Jahveh for the execution of his judgement. They saw in him only the merciless destroyer of their happiness, and thus detested and cursed this king, his country, his people, and all their institutions.

The exiles were addicted to idolatrous practices in their own country. Their local gods having, according to the common conceptions,²¹ no power outside of their own

²¹ Such a conception was generally shared by Jews and Gentiles alike. David complained to Saul: 'They have driven me out this day from abiding in the inheritance of the Lord, saying: Go, serve other gods' (1 Sam. 26. 19). The colonists transplanted by the Assyrians to Palestine found that their own gods were powerless to protect them against the lions, until they placed themselves under the protection of Jahveh, and only then were able to worship their ancestral gods, who became now the manifestations and ministers of Jahveh, 'they feared the Lord and served their own gods' (2 Kings 17. 25-33). The Assyrians frequently carried their captives and their gods to Assyria, for the purpose of depriving the latter of their power to avenge the harm done to their votaries. In Assyria the foreign gods became subject to the will of the indigenous gods, and had to punish their own votaries if they were not faithful to their masters. The Bible expresses the same idea: 'The Lord shall bring thee . . . unto a nation which neither thou nor thy father have known; and there shalt thou serve other gods, wood and stone' (Deut. 28. 36). Jahveh, having no representation, could

dominions, were of no use to them in a foreign country. The same conception prevailed even among those who were worshippers of Jahveh, that He was powerless to assist His votaries outside of Palestine. Now the Baalim and Astartes they had worshipped were essentially and by origin identical with many gods of the Euphrates valley, and the exiles could easily have substituted the latter for the former deities. And even the worship of Jahveh could have been preserved on this foreign soil by identifying him with one of the chief Babylonian divinities of West Semitic origin, like Adad or Marduk. But how could they be expected to recognize the very gods to whom their mortal enemies attributed the victory over them? It was quite natural that the captives who could not reconcile themselves to the new conditions, and deeply felt the misery of the captivity, detested and refused to worship the gods of their conquerors.²² Not being able to preserve their old religious practices, and not willing to put themselves under the protection of the gods of their enemies, the captives were practically without any religion. There was a void in their heart, and they felt themselves forsaken by god and man.

Under those circumstances, the prophets found it easy to disseminate the old religion of Israel, as the soil was well prepared. The religion whose laws awakened memories

not be carried into captivity, and his worshippers would have to serve there other gods. It was due to the prophetic idea of the Omnipresence of Jahveh that the Jewish belief lost its local character, and could be established everywhere. Nevertheless, the idea of *Galuth ha-Shekinah*, that the Lord abides with his people in the captivity and is powerless to redeem them, has still survived in the Talmudic and Cabbalistic literature. It would lead us too far to dwell upon it.

²² Renan, *l. c.*, failed to see that the idolatrous Jews had more reason to detest Babylonia than those who were pious. The latter may have seen in their miseries the hand of the Lord, while the former did not.

and aspirations immensely dear to their hearts was enthusiastically accepted by the people. The change in their religious conceptions was effected in a short time. Not long after the first exile Jeremiah could already contrast the religious conduct of the Babylonian exiles with that of those who were left behind in Judea, in the parable of the 'two baskets of figs'.²³ The Judeans in the old country still continued the practice of idolatry. But as soon as they came to Babylonia, after the complete destruction of Judea, most of them imitated the example of their fellow captives and accepted the religion of Jahveh. They had even more cause for detesting the Babylonians and their deities than the first exiles.²⁴

The condition of the Jews who migrated to Egypt was different from that of the Babylonian captives. Egypt had done no harm to Judea. Though the latter suffered a terrible defeat, twenty years before the destruction of the Temple, at the hands of the Egyptians at Megiddo,²⁵ Egypt was not responsible for this calamity. It was due to the presumption and short-sightedness of the Judean government. Being assured that the king of Egypt

²³ Jer. 24. 3. The same is seen from the letter sent to the captives (29. 1-32). But not all of them had at that time abandoned idolatry (see n. 15).

²⁴ We may assume that the captives at the final destruction of Judea, who had proved themselves faithless to the Babylonian in their covenant with the Babylonian king, were not treated with some consideration as were those who were exiled with Jehoiachin. This may perhaps be the reason why the last chapters of Jeremiah show such a deep-rooted hatred toward Babylonia, and so strangely contrast with the sentiments of this prophet toward the Babylonian empire. Jeremiah may have learned in Egypt of the sufferings of those exiles at the hands of the Babylonians, and thus his sentiments toward them naturally changed.

²⁵ 2 Kings 23. 29; 2 Chron. 35. 20-24. Cf. Graetz, *Hist.*, p. 296 f.

had no hostile intentions against Judea, Josiah had no reason to prevent the passing of the Egyptian army through his borderland to Syria. At the time of Judea's final destruction and conquest by Babylonia, the Egyptians were the allies of that country and made an attempt to come to its rescue.²⁶ The Judean immigrants expected to find a safe refuge in the land of their former allies, were no doubt received in a friendly way by the Egyptians, and accordingly felt a deep gratitude towards their kind hosts. 'The Queen of Heaven', to whom the immigrants sacrificed, was an Egyptian goddess whose cult had been introduced into Judea long before the reform of Josiah.²⁷ Thus the immigrants had not the least reason for abandoning the worship of this goddess, since they believed that her wrath for having been formerly abandoned by them was the cause of their present condition. We do not know whether at that time the Jahveh-cult was given up altogether. It is more probable that along with the worship of Jahveh the Egyptian Jews practised idolatry, as they formerly did in Judea. But after the conquest of Egypt by Cambyeses, the intercourse of the Egyptian Jews with their Babylonian

²⁶ Jer. 37. 5, 6-11.

²⁷ Graetz, *Hist.* I, p. 300, asserts that the worship of the 'Queen of Heaven' was introduced after the battle of Megiddo. The improbability of such an opinion is evident, as the Jews would never have accepted voluntarily the cult of a people at whose hands they suffered a terrible defeat and to whom they had to pay a heavy indemnity. Moreover, the words of the immigrants: 'But we will certainly do whatsoever goeth forth of our own mouth, to burn incense to the Queen of Heaven, as we have done, we and our fathers, our kings and princes, in the cities of Judah' (Jer. 44. 17), prove that her cult in Judah must have dated from an earlier period. The Egyptians were continually on friendly terms with Israel and Judea and the other Western states, since the Assyrians started their conquests in the West, and the Judeans may have adopted the cult of that goddess at that period.

brethren was not without influence, and many of them may have become pure worshippers of Jahveh.²⁸

As a rule, religion plays a minor, not to say an insignificant part, in the affairs of those who live in affluence. The religious propaganda was successful among the poor and middle classes of the Judean captives. The nobles, however, who exercised a certain authority over their poor brethren,²⁹ were soon reconciled to the exilic conditions. Having been the leaders of the people, they came in contact with the government officials, and entertained friendly relations with many Babylonians. Out of deference to the latter, and in order to keep on good terms with them, these nobles were quite willing to pay their respects to the Babylonian deities. There were others who became prosperous by commerce, and were quite contented with their present conditions in the great Babylonian metropolis, where they found more opportunities for accumulating riches than in their former agricultural country. Being satisfied with their new surroundings, they had no ill will towards the king and the people who transplanted them to Babylonia, and thus no reason for refusing to worship the gods of this country. Those Jews, though representing a small portion of the captives, were, on account of their influence, a constant menace to the religious movement. The activity of the prophets was directed against them.

²⁸ But the Elephantine Papyri (published by Sachau, Leipzig, 1911) seem to indicate that the Egyptian Jews were not pure worshippers of Jahveh in the fifth and fourth centuries B. C. E. There may, however, have been a number who accepted the religious conceptions of the Babylonian Jews, and the sanctity of the Temple of Jeb was not recognized by them.

²⁹ See Ezek. 34. There can be no doubt that these 'shepherds' were the leaders of the Jews in the captivity. Cf. Graetz, *l. c.*, p. 332, and Renan, *l. c.* VI, 1.

However, they had little regard for the prophets, and ridiculed their prophecies.³⁰ 'The elders of Israel' frequently visited Ezekiel, but not for the purpose of listening to his teachings.³¹ The prophet being respected, and enjoying the highest authority among the common people, it was a matter of policy to occasionally ask his advice, in order to give to their measures divine sanction.³² Hypocritically they asked for a divine message. But he was well acquainted with their conduct, and they could not deceive him. 'What do you idolaters care for God and His messages?' was his reply. Whenever he addressed the elders of Israel he accused them of idolatry.³³ To the common people, however, he spoke in a different tone, comforting them and correcting their religious conceptions.³⁴ As long as the influential men among the captives were not won over to the religious party, the existence of the Jewish religion was precarious.

The religious propaganda could not be carried on secretly. The publicity which it aroused could not fail to engender bad feeling among the Babylonians. Combatting and deriding idolatrous conceptions in the very centre of the Babylonian cult was nothing short of high treason.³⁵ Such a movement was undoubtedly the cause

³⁰ Ezek. 21. 5.

³¹ If the elders of Israel practised idolatry, we cannot assume that they were in earnest in visiting the prophet and listening to his admonitions.

³² It is nearly the same at present in some European countries, as the present writer knows from his personal knowledge, that wealthy men of influence who are personally indifferent to religious observances, stand at the head of strictly religious congregations and consult the orthodox Rabbis upon all measures they want to carry through.

³³ Ezek. 14, 20.

³⁴ *Ibid.* 18, 33, 34, 36, 37, 38. 25-9.

³⁵ It is inconceivable how Renan (*History*, VI, 1) came upon the idea

of numerous persecutions,³⁶ which, however, had no discouraging effect upon the zeal of the pious Jews. On the contrary, even those who had held aloof from the religious movement could not remain unaffected by the sufferings of their brethren. It is easy to sneer at religious ideas, but they assume a different aspect when one sees men willing to pay for them with their lives. However, this sympathy did not have an immediate effect. Those wealthy Jews preferred their own comfort above everything, and were not inclined to expose themselves to persecutions by abandoning idolatrous practices. They were not of the stuff of which martyrs are made.

The conquest of Babylon by Cyrus dealt a death-blow to the Babylonian religion. The superstitious belief in Bēl's power was shattered. Idolatry, though still tolerated, was no longer fashionable. The seeds of the Jewish religion now found a fruitful soil even in the hearts of the wealthy people, who gave up idolatry and joined the Jewish community. Nevertheless they still remained indifferent members, without high regard for the observances of the Jewish laws. They were the people of whom the Babylonian Isaiah said: 'They who are eating swine's

that the Babylonians at that period denied both the gods and Providence. The Babylonians were certainly at that period just as religious as ever.

³⁶ Graetz (*History*, I, p. 334) states that the violent hatred of the Jews toward Babylonia was caused by Nabunaid's refusal to grant them permission to return to their own country. But the letter of Jeremiah stated that they had to remain in the captivity seventy years (29. 10). The pious Jews were firm believers in the prophetic prediction, and thus did not cherish any hope of an earlier return. The indifferent Jews felt comfortable in that country, and were not eager to leave it. Even if we should see in that prediction a later interpolation, we have not the least evidence for an assumption that Nabunaid had been kindly disposed towards the captives on his accession to the throne, and later changed his mind.

flesh, and broth of abominated things is in their vessels.'³⁷

If the Jews detested the Babylonian religion as being the creed of their oppressors, it stands to reason that they loved the Persian religion as being that of their liberators. This love would have been disastrous to the establishment of the Jewish religion if the Persians had been idolaters. The mere fact that the Persian religion did not do much harm to the Jewish religious conceptions is in itself a sufficient proof that there were no great differences between the principal doctrines of both the Jewish and Persian religions.

Ahuramazda was a purely spiritual god, not represented by any image, according to the Avesta. His emblem, adopted by the Iranians from the Assyrians,³⁸ consisting of a winged ring floating in the air with a human figure rising from the circular space, was not considered an idol.³⁹

³⁷ Isa. 65. 4. This accusation does not refer to those who practised idolatry. No prophet would have blamed idolaters for not observing the dietary laws. On the contrary, if the latter had observed them, the prophets would have ridiculed their conduct. The prophet in those passages describes different kinds of Jewish transgressors; some were real idolaters, sacrificing in gardens and burning incense upon altars of brick; others were superstitious, remaining among the graves and lodging in the monuments, and practised necromancy; and others finally had already abandoned all those practices, but still continued to eat swine's flesh.

³⁸ This was the emblem of the Assyrian god Ashur (see Justi, *History*, p. 69, and Ed. Meyer, *G. A.*, III, p. 123). If Zoroastrianism dates from the beginning of the sixth century, we must assume that the adopting of this emblem was pre-Zoroastrian, and that Zoroaster did not consider it an idolatrous representation.

³⁹ See Ed. Meyer, *ibid.* Justi, however, is of the opinion that the religion of the Achaeamenides was not identical with that of the Avesta, as the latter prohibits the representation of Ahuramazda by an image. But then he would have to go a step further and maintain that the religion of the Sassanides, the most fanatical adherents of the Zoroastrian religion,

The essential part of this emblem was the winged ring and not the human figure, as this emblem was represented frequently without the latter.⁴⁰ This divinity was not the supreme god of the Persians, but actually the only one. The Daēvas, the gods of the popular belief, were, according to the teaching of Zoroaster, to be regarded as spurious deities, and their priests and votaries as heretics.⁴¹ The angels, by whom Ahuramazda was surrounded, originally represented abstract ideas.⁴² However, at a later period, when the Zoroastrian religion became corrupt, they assumed the character of the former Daēvas.⁴³ The power of Ahuramazda, the god of light, having continually to strive under whose rule the Avesta was compiled, was not identical with that of the Avesta either, as the Sassanides represented Ahuramazda in human shape. Thus we cannot but assume that the Persians did not look upon these figures as representations.

⁴⁰ Cf. George Rawlinson, *Herodotus*, vol. I, p. 208, n. 3. That this symbol was not regarded as an image is seen from Berossus who was no doubt well acquainted with the Persian religion, and nevertheless asserts that the Persians knew of no images of the gods before Artaxerxes II (see chapter VI).

⁴¹ See K. F. Geldner's article 'Zoroaster' in the *Enc. Brit.* J. Darmesteter (*Zend-Avesta*, p. 59) observes that Mazdeism struggled on towards unity: the Lord (Ahura) slowly brought everything under his unquestioned supremacy, and the other gods became not only his subjects, but his creatures. Justi, in his *History*, remarks: 'All these things have in Zoroastrianism an essentially different position than in the natural religion. They have given up their character as gods, and preserved only their cosmic sphere of action. They are creatures and servants of the supreme god' (p. 82).

⁴² Cf. Geldner, *l. c.* Darmesteter, *l. c.*, p. 71, observes: 'They were at first mere personifications of virtue and moral or liturgical powers; but as their lord and father ruled over the whole world, they each took by and by a part of the world under their care.'

⁴³ In Armenia, at least, some of the *Amshaspands* possessed their own sanctuaries; cf. the article 'Armenia' (Zoroastrian) by H. M. Ananikian, in Hastings's *Encyclop. of Religion and Ethics*, and Ed. Meyer, *G. A.*, III, p. 127 f.

with Anra-Mainyu, the god of darkness, was seemingly limited. Notwithstanding this conception, he was, to all intents and purposes, the only god. The conception of the power of darkness in the Zoroastrian religion corresponds to that of the spiritual enemy of mankind, the Evil One, in the Christian religion, who is feared, but not worshipped.⁴⁴ The term *dualism* applied to the Persian religion is a misnomer. The two opposing forces of light and darkness represent the principles of good and evil. There is no good without its counterpart, evil. The latter being the destructive element in nature, it is reasonable that man should place himself under the protection of the good, constructive principle. Ahuramazda himself was originally, to a certain extent, placed above these opposing forces, as has been pointed out.⁴⁵ In a later period, however, the Holy Spirit was made equivalent to him.⁴⁶ This would

⁴⁴ Herodotus VII, 114 seems to contradict that assumption, as he tells us: 'I have heard that Amestris, the wife of Xerxes, in her old age, buried alive seven pairs of Persian youths, sons of illustrious men, as a thanks-offering to the god who is supposed to dwell underneath the earth.' But Zoroastrianism is just as little responsible for the superstition of Amestris as Christianity for some mad witches who worshipped the devil. George Rawlinson (*ibid.*, vol. IV, p. 8) holds as probable that Herodotus merely speaks as a Greek. In the Avesta there is no vestige of such a cult. That god Anra-mainyu, being the personification of the evil principle, was naturally unlike any other deity that could be propitiated by sacrifices. Justi, in his *History*, observes: 'If the ancient writers inform us that the Persians sacrificed to Hades, we may recognize therein a feature of the Median religion of the Magians' (p. 83). The latter religion, however, was not identical with that of Ahuramazda, but represents the old Iranian belief.

⁴⁵ A similar opinion is expressed by Darmesteter, *l.c.*, p. 82: 'When the Magi had accounted for the existence of evil by the existence of two principles, there arose the question how there could be two principles, and a longing for unity was felt, which found its satisfaction that both are derived from the same principle.'

⁴⁶ Cf. Geldner's 'Zoroaster', *Encycl. Brit.*, and Justi's *Hist.*, p. 83.

account for the fact that Darius, in his Behistun Inscription, does not mention Anra-Mainyu.⁴⁷ Besides, the limitation of Ahuramazda's power was held to be merely temporary, as he was bound after a certain period to be victorious, and destroy his enemy.⁴⁸

To scholarly minds there might have been great differences between the Jewish and Persian conceptions concerning the Divine Nature. However, to the average man, Jahveh and Ahuramazda were identical in all respects but in name.⁴⁹ The Persian religion having no images, no temples, and no altars,⁵⁰ the Jews did not see any transgression in acknowledging Ahuramazda as God, and identifying him with Jahveh.⁵¹ We may assume that they

⁴⁷ It has been contended that Darius did not know anything about Zoroaster, since he does not mention Anra-Mainyu in his Behistun inscription.

⁴⁸ Geldner, *l. c.*, and Justi, *l. c.*, p. 83.

⁴⁹ Graetz (*History*, I, p. 402) is certainly correct in his remark: 'They contrasted that doctrine with their own belief that the God of Israel created light and darkness, good and evil.' A similar opinion is expressed by Alfred Jeremias (*The Old Testament in the Light of the Ancient East*, II, p. 276): 'The assumption that the prophet (Isa. 45. 7, 12) combats the theology of Zarathustra, at least in its exoteric interpretation, is well founded.' He further observes (n. 2): 'The esoteric religion of Zarathustra is not dualistic in the proper sense.' But the contrary may be true. Zoroaster's esoteric religion was dualistic, and the prophet called attention just to this fundamental principle which the common people did not perceive. But so subtle a distinction could scarcely have made any impression upon the average Jew. Moreover, it was no easy task to convince the people that God himself was the creator of evil. The very idea of the prophet that God created the darkness evidently contrasted with the story of Creation in which the first divine act was the creation of light.

⁵⁰ Herodotus I, 131.

⁵¹ It looks as if the Persians themselves saw in Jahveh their own God Ahuramazda under a different name. Marquart (*Fundamente*, p. 49) indeed contends that 'the God of Heaven' (Ezra 7 12, 21, 23) is Ahuramazda. This conjecture is not without foundation. The edict of Artaxerxes, in which enormous powers are conferred upon a Jewish priest, even to impose

did not fail, whenever there was an opportunity, to impress upon the minds of the Persian officials the close relationship of their own religion to that of the Persians, and thus justly claim special favours.

During the Babylonian period, the distinctive mark of 'Jews' (יהודים) was the rejection of idols. Under Persian rule, however, this fact ceased to be the criterion of the latter, as the true Zoroastrians did the same. Zoroastrianism having adherents everywhere throughout the Persian empire, a Jew, not caring to reveal his identity, could live among Gentiles all his lifetime without being recognized as an adherent of the Jewish religion. A strictly pious Jew could

the death penalty upon those who disobey the Jewish Law, is quite incomprehensible. The Persian rulers were very tolerant towards the creeds of their subjects. There is nothing improbable in granting the Jews permission to return to their old home, to rebuild the Temple and the walls of Jerusalem, and to live according to their own laws. But it is rather strange that a Persian king should have been so solicitous about the promulgation of the Jewish Law as to impose it by force upon those who had no inclination to accept it. Hence it is no surprise to find that the authenticity of that edict is denied by Kuenen (*Hist.-krit. Einleitung*, I, p. 165), Kosters (*Het Herstel van Israel*, 1903, p. 114), Wellhausen (*Israel. und jüd. Geschichte*, 1914, p. 160), Th. Nöldeke (*Gött. Gel. Anz.*, 1884, 1014), and others. Ed. Meyer (*Entst. d. Jud.*, p. 60 f.), however, has clearly demonstrated that this document is absolutely genuine. But his explanation that Artaxerxes was superstitious, and that the promulgation of the Law had to be sanctioned by the government is very forced. There is no parallel between favours granted to the Greeks in religious matters and those granted to Ezra. A polytheistic religion does not interfere with other polytheistic creeds, while the promulgation of the Jewish Law involved intolerance toward other creeds. We therefore suggest that this promulgation was a matter of policy on the part of Artaxerxes. The latter looked upon the Jewish creed as being identical with that of the Persians. He was desirous of introducing the latter belief in the Western countries in order to connect them more firmly with his empire, and he saw in the Jewish Law such a connecting link between these inhabitants and the Persians. We shall deal with this subject further on in chapter VII, n. 59.

not have done so, on account of his observance of the ritual laws. But at that period these laws had not yet been firmly rooted in the hearts of the Jewish people, and many of them may have neglected them.⁵² The wealthy cared more, as we have seen, for their own comfort than for religion. Many among them, indifferent to the religious observances, in all probability pretended to be Zoroastrians, and concealed their religion. Examples of this kind of Jews we may see in Mordecai and Esther.

Mordecai was born in Babylonia, as we may conclude from the pure Babylonian name he bears. The fact that he could rise later to a high position in Persia seems to indicate that he came to Persia in his early youth, and received a Persian education.⁵³ He was a member of one of the distinguished families which had been carried into the Babylonian captivity with the Judean king Jeconiah (=Jehoiachin). We have already observed that those noble families were soon reconciled to their fate, and were idolaters. Under Persian rule, however, idolatry having gone out of fashion, they apparently abandoned it, as evidenced by the fact that the late prophets do not accuse any Jew of idolatry. But even then they were not quite averse to the worship of the Babylonian deities, being indifferent to both the Babylonian and the Jewish religions. There can be little room for doubt that the father of Mordecai was a Jew of that type. In Babylonia a proper name compounded with the name of a deity was intimately

⁵² The Rabbis accuse the Jews of that period of having partaken of the feast of Ahasuerus (Megillah 12a). They correctly judged that the Jewish observances were neglected at that period.

⁵³ According to Flavius Josephus, in his story of Esther, Mordecai moved from Babylon to Susa after Esther had been taken into the house of the king. This is of course pure fancy.

connected with the religious belief of its bearer, as may be seen from the seal cylinders.⁵⁴ The bearer of a name Nabū-naṣir, 'the god Nabū protects', was a votary of the god Nabū. The name Mordecai is a hypocoristicon of a complex name compounded with the divine name Marduk. Thus the full name was undoubtedly of idolatrous character. If the Talmudic statement, 'Mordecai is identical with Bilshan',⁵⁵ is based on tradition, the compounded name of Mordecai was *Marduk-bēl-shūnu*, 'Marduk is their lord'.⁵⁶ Such a name could be borne only by a worshipper of the god Marduk. But that does not prove that Mordecai's father was an idolater. To ease his son's path through life, that he should not be hampered with an outlandish name which stamps one as an alien, his father gave him a pure Babylonian name. Many modern Jews in European countries, where biblical names are very seldom met with among Christians, consider it likewise a disadvantage for the future career of their children to be named Abraham,

⁵⁴ Cf. J. Krausz, *Die Götternamen in den Babylonischen Siegelcylinder-Legenden*, München, 1910, pp. 15 ff.

⁵⁵ Megillah 15a and Menaḥoth 65a. However, the Talmud had not the slightest notion of the meaning of *Bilshan*, and explained it as 'master of the languages, linguist' (בעל לשון), as he was said to have been a member of the Sanhedrin, and was therefore supposed to understand 'seventy languages', that is to say, he had to understand the various idioms in use in Palestine, and not to have to rely upon the services of an interpreter. The explanation of *Bilshan* presents a counterpart to that of Mordecai, which is explained as 'pure myrrh' (מרא דכיא), the Aramaic translation of מֶרְדֵּכָי (Exod. 30. 23). The fact that the Rabbis did not know the meaning of *Bilshan*, and nevertheless connect it with Mordecai, seems to point to a true tradition. As a matter of fact, *Bel-shūnu* is an abbreviated name, and so is Mordecai.

⁵⁶ Cf. *Nabū-bēl-shūnu*, *Nin-ib-bēl-shūnu*, *Sha-la-bēl (ti?)-shūnu* (cf. Tallquist, *Neubabylonisches Namenbuch*, Helsingfors, 1905; *Assyrian Personal Names*, 1914). Many of the numerous names *Marduka*, *Marduku* (see *ibid.*) may be hypocoristica of *Marduk-bēl-shūnu*.

Moses, &c. No Jew with any regard for his religion would have given his son a name that implied his being dedicated to the worship of Marduk. But Jair was not an exception in this respect. It was customary among the indifferent Babylonian Jews to name their children *Arad-Gula*, *Nana-nadin*, *Ninib-muballiṣ*, *Sin-naṣir*, &c.,⁵⁷ as may be seen from the business documents of those periods. But it may be of interest to observe that we very seldom find names of idolatrous character borne by relatives of those whose names are compounded with the divine name *Ṣawa*.⁵⁸ The latter were, as it seems, characteristic of the religious conduct of their bearers and their families as faithful worshippers of Jahveh. Mordecai was not better in this respect, if not worse, than his father, and by no means proud of his religion. Though exercising, as it seems, some authority over his humbler co-religionists in Susa, as did his distinguished family in Babylonia, he was anxious to conceal his Jewish identity, which under Zoroastrianism it was easy to accomplish, without transgressing the main tenet of the Jewish religion. The name Mordecai

⁵⁷ Cf. *Babyl. Exp.*, IX, x and Tallquist, *l.c.* That the bearers of such names are Jews may be seen by the names of their fathers or sons. Renan (*History*, VI, 1) remarks: 'A great many Jews became servants of the households of the Chaldean nobility and adopted Chaldean names, without troubling themselves about the paganism implied by these names. It did not entail any apostasy and was no more shocking than when the Jews of the Roman epoch called themselves Apollonius or Hermes.' His analogies are wrong. Strictly religious Jews never adopted in post-exilic times names implying paganism. The name Apollonius is a mere translation of the Hebrew name *Samson*, and the name Hermes means literally 'interpreter', and a Jew may bear such a name, even if it is also that of a Greek god. It would be different if a Jew would be called *Apollodorus* or *Isidorus*. They would certainly be characteristic of the indifference toward the Jewish religion on the part of their hearers.

⁵⁸ See chapter IX.

being Babylonian, we may assume that he had for special use in his dealings with Persians a pure Persian name.⁵⁹

Esther, like Mordecai, was born in Babylonia. Her name, undoubtedly identical with that of the goddess *Ishtar* = Astarte, is a hypocoristicon of a complex name compounded with that of this goddess. Her full name may have been *Ishtar-udda-sha*, 'Ishtar is her light', which would account for her two names, אֶסְתֵּר and הֲדַסָּה, both abbreviations, = אֶסְתֵּר-הֲדַסָּה.⁶⁰ But it is perhaps more probable that the name הֲדַסָּה is the Persian *Hutaosa*, rendered into Greek as *Atossa*,⁶¹ and was adopted by her in Persia. Whatever her compounded name may have been, the name Esther = *Ishtar* evidently shows that Abihail, Esther's father, was a worthy brother of Mordecai's father, Jair. Having lost both parents in her childhood, Esther was brought to Susa and adopted by Mordecai. He could not give her a better Jewish education than he himself possessed. Their real

⁵⁹ We find names compounded with *ud-da*, cf. Tallquist, *Namenbuch*. This word is a synonym of *urru*, *ūru* = אֹר 'light', and of *nūru* = נֹר, of the same meaning, and is etymologically identical with Hebrew הֹר 'splendour', which is used also in the formation of Hebrew proper names (see Hebr. Dictionary). Both synonyms are found in cuneiform proper names, as in *Ilu-ur-ri*, *U-ru-l Ma-lik*, &c.; *Nūri-Ishtar*, &c. (see Tallquist, *l. c.*) That *ud-du* does not refer merely to the 'daylight'; though UD = *Shamash*, may be seen from the name *Nabū-shakin-ud-du*, 'the god Nabū makes light' (cf. *ibid.*). This noun may have been pronounced *hud-du*, according to the etymology. We see that even the Sumero-Babylonian word *ekal*, 'great house, temple, palace' was by the Hebrews pronounced *hēkāl*.

⁶⁰ Stanley, *History of the Jewish Church*, III, p. 196, remarks: 'Hadassah (her Hebrew name) is either "myrtle", or else a Hebraized form of the Persian *Atossa*.' But the Hebrew form stands nearer to the Persian name *Hutaosah* than the Greek rendering *Atossa*. Cf. Cassel, *l. c.*, p. 54.

⁶¹ Many of those opposed to Rabbinic Judaism, whose aim was at the start to abrogate its rigid observances, found that they could not draw a strict line between the latter and those of the Mosaic Law.

characters are shown in the second chapter of the Book of Esther.

Orthodoxy and Heterodoxy, the two opposing tendencies within Judaism, are by no means peculiar to and characteristic of our enlightened era. They are as old as Judaism itself, though in each age, in accordance with the prevailing ideas, Heterodoxy assumed a different character. As long as idolatry was fashionable, the Heterodox were idolaters; in the Alexandrian age, Hellenists; under the Maccabees, Sadducees; during the Jewish-Christian era, adherents of the Christian doctrines; in the period of the Geonim, Karaites; in the Middle Ages, philosophers; and at a later period, Cabbalists. Orthodoxy, the real representative of that Judaism established during and after the Babylonian captivity,⁶² has survived all these changes. The same two

⁶² The passage *לא הגידה אסתר את עמה ואת מולדתה* is not quite clear. The terms *עם* and *מולדת* here and in the similar passage *אין אסתר מנדת מולדתה ואת עמה* (II, 20) might be regarded as hendiadys. But that is scarcely true of the other passage: *כי איככה אוכל וראיתי ברעה: אשר ימצא את עמי ואיככה אוכל וראיתי באבדן מולדתי* 'For how can I endure to see the evil that shall come unto my people? or how can I endure to see the destruction of my kindred?' (VIII, 6). The term *מולדת* means either 'native place' or 'kindred'. The former meaning is here impossible, as Esther's native place was Babylonia, and the latter very improbable. But *מולדת* may mean also 'place of origin', and could refer to Judea. Such an interpretation is not impossible, as the execution of Haman's edict involved the destruction of the Jewish state, as we shall further see. But it is strange that the terms *עם* and *ומולדת* are nowhere found, outside of Esther, in the Old Testament. We find only *ארץ מולדת* or *ארץ ומוולדת*. Hence there is room for doubt whether the original text contained the word *מולדת*. We shall find that Haman's edict was not directed against the Jewish race, but against those who were adherents of the Jewish religion. They were in no danger, if they abandoned it. But at a later period, the real issue of that event was not known any longer. The term *דת*, a Persian loan-word (which occurs so often in Esther), in the passage *ודתיהם שונות מכל עם* 'their laws are diverse from all people', refers of

tendencies in Judaism are met with in the times of Mordecai and Esther.

Esther 11.
10

The author of our story states: 'Esther had not shewed her people nor her kindred; for Mordecai had charged her that she should not shew it'.⁶³ He tells it so frankly and naively, without giving any reason for such a conduct, as if it were the most natural way and a matter of course, and not a dastardly act, for a Jew to conceal his religion. It was indeed unnecessary for the author to explain why Mordecai charged Esther not to disclose her Jewish identity, as we can read the reason between the lines. Relying upon Esther's great charms, which, in his belief, could not fail to captivate the king's heart, Mordecai was apprehensive of her being excluded from the competition for the rank of queen if she was known as an adherent of the Jewish religion. For her elevation he was ready and willing to sacrifice her religion.⁶⁴ If Mordecai had been imbued with

course to the Jewish religion. The identical term is used in the Mishnah in דת יהודית 'the Jewish Law', and דת משה וישראל 'the Law of Moses and Israel'. Hence we venture the following suggestion. The same word דת might have been contained in the original text in the passages quoted. But a later copyist changed the word דת into מולדת, believing that דת and עם are superfluous synonyms, as a member of the Jewish race is of course an adherent of the Jewish religion. Thus the original meaning of the passages II, 10. 20 might have been: Esther kept secret her people and her religion. In her supplication to the king, Esther complained not only about the evil that shall come unto her people, but also about the disappearance of the Jewish creed. Siegfried, *l. c.*, is correct in objecting that מולדת is here out of place.

⁶³ Ibn Ezra remarks: 'Some say that Mordecai was wrong in commanding Esther not to disclose her origin, because he feared that he might not take her for a wife if he knew that she was one of the exiles. But others say that Mordecai learned in a dream that Esther was destined to save Israel'.

⁶⁴ Paton, *l. c.*, p. 178, observes: 'There is nothing of the martyr-spirit in Mordecai, as in Daniel and his friends who display their Judaism at all

the spirit of Ezra and Nehemiah, there is no doubt that rather than giving her in marriage to a Gentile he would have slain his adopted daughter with his own hands, and he would certainly have charged her to disclose her religion.⁶⁵ If Esther had been a true daughter of Israel she would have done everything in her power not to become the wife of a Gentile, preferring the observance of her religion to the rank of a queen.⁶⁶ On informing the keeper of the harem of her religion, Esther would have done her duty, and been free from blame if he had kept her notwithstanding that reason,⁶⁷ as we could not condemn her for not having been courageous enough to prefer death to that fate.

However, on the other hand, the question presents itself: Why did Mordecai so ardently desire to see Esther as queen? Was it due to his ambition? Certainly not! If he had been ambitious, it would have been easy for him

costs. So long as there is any advantage in hiding it, he does not let Esther tell her race; only when secrecy is no longer useful, does he bid her disclose it' (see n. 68).

⁶⁵ The author of the apocryphal additions to the Greek version of Esther could not comprehend either how the pious Esther could have acted in that way, and lets her say in her prayer: 'Thou hast knowledge of all things, and thou knowest that I hate the glory of the wicked and abhor the bed of the uncircumcised and of every alien'. This prayer is characteristic of the mode of thinking of religious Jews of the Graeco-Roman period concerning intermarriage.

⁶⁶ See, however, Cassel, p. 61 f.

⁶⁷ The commentators who think that Esther concealed not only her Jewish origin, but also her kinship to Mordecai, must admit that the latter could hardly have profited anything by Esther's exalted position. Moreover, they assume that 'Mordecai was sitting in the king's gate' as a loungeur, and not in an official character. Thus what advantage was there for Mordecai? Hence it is evident that Mordecai did not act out of selfish motives in furthering the elevation of Esther, but for the welfare of his people (see n. 64).

to be appointed to a high position after the elevation of Esther, or at least after having saved the king's life. Thus it is evident that his desire that Esther should be elevated to the rank of queen was not prompted by selfish motives.⁶⁸ Although concealing his own religion, Mordecai was nevertheless solicitous for the welfare of his people, and was convinced that Esther on becoming queen would be in a position to render them many useful services, as indeed she was.

However so prudent and farsighted the policy of Mordecai, in his endeavour to elevate Esther, may have been for the benefit of the Jewish people; from a purely religious point of view, we either must condemn his conduct or accept utility as the sole standard of rectitude. An approval of Mordecai's action would give full licence to intermarriage. We might say that that prohibition under certain circumstances may be disregarded, if any essential advantage would accrue to the Jewish people or to some Jewish community from such an intermarriage. It would be wellnigh impossible to draw a strict line between a marriage to a king, a high official, or any other person. But Mordecai no doubt belonged to that party which espoused intermarriage between the Jews in Palestine and their non-Jewish neighbours, as by these alliances they were strengthening their own position.⁶⁹ That policy, however, though of great advantage to the newly-established Jewish state, was disastrous to the Jewish religion, and we may doubt whether the latter would have survived if such a

⁶⁸ That party was in all other respects just as strict worshippers of Jahveh as Ezra and Nehemiah, since even the family of the High-priest was related by marriage to the Samaritan Sanballat and to other non-Judaeans.

⁶⁹ See chapter VIII.

practice would have been permitted to continue. On the other hand, the zeal of Ezra and Nehemiah against intermarriage caused many hardships to the Jewish people in Judea, and jeopardized the existence of the new state, but the Jewish religion remained pure and intact. Thus Ezra and Nehemiah represented Orthodoxy, while Mordecai was the representative of the Heterodox wing of Judaism of that period which advocated intermarriage.

It is characteristic of Jews in all periods that, though indifferent to religious observances, and being hardly recognized as members of the Jewish people, at times of religious persecutions they do not stand aloof from their suffering brethren, but identify themselves with them in every respect, some of them becoming even more or less religious. The religious persecutions which soon broke out had the same effect upon Mordecai. Seeing the sufferings of the Jews, Mordecai openly declared his adherence to the Jewish religion,⁷⁰ and did everything in his power to assist his brethren. But a change produced by sympathy, not conviction, never has a lasting effect. Mordecai, after his elevation to the rank of prime minister, was not and could not have been religious. The Rabbinic homiletic interpretation of the passage, 'He was pleasing to most of his brethren', that it meant to indicate that a part of the Sanhedrin separated themselves from him,⁷¹ contains a great deal of truth, even more than the rabbis intended to imply. *A part of his brethren* refused to have any intercourse with Mordecai. Even among the Sanhedrin, the leaders of Israel, the strictly religious Jews, who do not barter the tenets of their religion for worldly advantages,

⁷⁰ Cf. also Renan, *History*, VI, 1.

⁷¹ Megillah 16 b.

though being in all periods Israel's very representatives and preservers, always form only a small fraction. And men of that type refused to associate with him.

The Book of Esther was in all probability composed in Babylonia, not Palestine,⁷² as the former country was for a considerable period the real centre of Jewish learning. It undoubtedly was composed at a time when the personalities of Mordecai and Esther were still well known. Its compilers were the Sopherim, who strictly adhered to the principles of Ezra and Nehemiah. Upon them devolved the task of commemorating an event, in which the opponents of the latter, against whose principles they still had continually to fight, figured as heroes and saviours of Israel. Those Sopherim were in a most embarrassing situation. They could not deny the fact that Mordecai and Esther, though having been transgressors of the Law, actually effected the rescue of Israel's religion. Not to record such an event would have been disgraceful.⁷³ But

⁷² But they did not put this story in writing during the life-time of Mordecai and Esther (see following notes and chapters VII, IX).

⁷³ Megillah 7a: 'Esther sent to the sages, saying: "Record this event of mine for future generations." But they sent back: "It is written, Have I not written for thee three times?" (Prov. 22. 20). This passage teaches that any event should be recorded only three times, and not four times, and the memory of Amalek's destruction is already recorded three times. (Thus they refused to record it) until they found for her a biblical verse: "Write this for a memorial in a book" (Exod. 16. 14): "write this" refers to the records made by Moses himself, here and Deuteronomy 25. 17-19; "for a memorial" refers to that which is written in the historical records of the prophets (1 Sam. 15. 1-34): "in a book" refers to the event of Purim, the story of which ought to be represented in a special Book' שלחה להם אסתר לחכמים כתבונא לדורות שלחו לה 'הלא כתבתי לך' שלישים' שלישים ולא רביעים, עד שמצאו לה מקרא כתוב בתורה 'כתוב זאת זכרון בספר' כתוב זאת מה שכתוב כאן ובמשנה תורה, (זכרון מה שכתוב בנביאים, בספר, מה שכתוב במגילה).

it could not be done without jeopardizing the religious principles for which they stood. To describe Mordecai and Esther as ardent adherents of the Jewish religion was impossible. The religious conduct of Mordecai and Esther was well known. Besides, the Sopherim would under no circumstances have consciously distorted the facts. To represent, however, non-religious Jews as God's chosen instruments for the preservation of Israel, would have been destructive to the ritual edifice they strove to preserve intact. The people would have been perplexed, and would have raised the question: How could the rites and observances be an essential part of the Law of Israel if God chose for his own instruments people who did not care for them? The only way out of this dilemma was to represent the events exactly as they happened, without suggesting that there was any divine intervention. In this way the compilers did not commit themselves, and the people could interpret this story each according to his own sentiments. In the present writer's opinion, a strictly orthodox rabbi of to-day would be in the same predicament, if compelled by circumstances to write the biography of a great Jewish philanthropist who was indifferent to all religious observances, and would have to act in the same way as the Sopherim did in the compilation of the Book of Esther, circumspectly avoiding all matters pertaining to religion.

There is a Talmudic statement that Esther requested the sages of her period to compile the story of that event, and they at first refused to comply with her request.⁷⁴

⁷⁴ Rabbi Joshua, son of Hananiah (flourished about 100 c. E.), still held that this Book ought to have been put in writing, in explaining: 'write this' refers to what is written in Exodus; 'for a memorial' refers to the repetition of that commandment in Deuteronomy to remind Israel to keep it in their memory; 'in a book' refers to what is written in the Book of

Who knows whether this narrative is not based on some tradition? We can well imagine that it was Esther's just ambition to have the event in which she played such a conspicuous part recorded for the admiration of future generations, and that the Sopherim, confronted by the difficulty of such a task, used some subterfuge to be excused from compiling that story, in expressing their opinion that it ought to be handed down by tradition, like the Oral Law, and not to be recorded.⁷⁵ We may even assume that they definitely refused to undertake this compilation, and that the only record of that event consisted of the letters sent out by Mordecai and Esther.⁷⁶ Later, however, being afraid lest the Feast of Purim might assume a non-Jewish character, as we shall see further on,⁷⁷ the Sopherim could

כתוב זאת מה שכתוב כאן, זכרון מה שכתוב במשנה (תורה, Samuel *ibid.*). In the present writer's opinion, these homiletic explanations do not give the real reasons *pro* and *contra*. The Rabbis were averse to questioning the religious conduct of Mordecai, and therefore expressed their opinions in homiletic disguise.

⁷⁵ See chapter IV.

⁷⁶ We shall see that the Sopherim were even averse to the commemoration of this event, because the time of the celebration was simultaneous with that of a Persian festival. The Talmud indeed tells us: 'Esther sent to the sages: "Establish for me a festival for future generations". But they sent back: "Will you incite envy against us among the nations?" She, however, sent back: "(There is no fear of that) as the event of mine is already written in the book of the chronicles of the kings of Media and Persia"' (שלחה להם אסתר לחכמים קבעוני לדורות שלחו לה קנאה את) מעוררת עלינו לבין האומות שלחה להם כבר כתובה אני על ספר דברי (Megillah 7a). In this homiletic saying we may perhaps see a trace of a tradition that the Sopherim refused to sanction the establishment of the festival of Purim. We observe, by the way, that this saying seems to confirm the suggestion in chapter IV, that the existence of the Book of Esther may have caused trouble to the Jews in the East in a certain period, 'inciting envy against them among the nations'.

⁷⁷ The saying אסתר אינו מטמא את הידים 'the Book of Esther does

not but compile the story of that event, and order its reading on the day of this Festival. Both Rabbi Joshua and Samuel in decreeing that 'the Book of Esther does not defile the hands',⁷⁸ were undoubtedly displeased with the non-religious style of the book, and considered such a defect just as bad as the scepticism of Ecclesiastes.⁷⁹ Looking upon Mordecai and Esther as saints in Israel, and on the compilers of that book as having been inspired by the Holy Spirit, the non-religious character of that book was beyond their comprehension. They may have believed that the Sopherim did not dare to represent Ahasuerus as an instrument of the God of Israel,⁸⁰ and therefore omitted all religious elements. Those rabbis, however, did not approve of such a procedure. In their opinion, if a book that records such a signal rescue of Israel had to be devoid of all religious elements, the records of that event ought not to have been put in writing, but handed down by tradition. This is the real meaning of the Talmudic inter-

not defile the hands', is mentioned only in the name of Samuel, not in that of Rabbi Joshua. Since, however, we are informed that 'Samuel holds the opinion of Rabbi Joshua', that Esther ought not to have been recorded, we must assume that in the latter's opinion, Esther does not belong to the sacred Books, and thus does not defile the hands (see *ibid.*).

⁷⁸ As to Ecclesiastes, there are divergent opinions: 'Rabbi Meir says: 'Ecclesiastes does not defile the hands, but there is disagreement concerning Canticles'; Rabbi Jose says: 'Canticles defiles the hands, but there is disagreement concerning Ecclesiastes'; Rabbi Simeon says: 'Ecclesiastes belongs to the decisions in which the School of Shamai was more lenient than the School of Hillel, but Ruth, Canticles, and Esther defile the hands' רבי מאיר אמר קהלת אינו מטמא את הידים ומחלוקת בשיר השירים, רבי יוסי אומר ישיר השירים מטמא את הידים ומחלוקת בקהלת רבי שמעון אומר קהלת מקולי בית שמאי ומחומרי בית הלל אבל רות ושיר (השירים ואסתר מטמאין את הידים), *ibid.*, &c.

⁷⁹ See note 72.

⁸⁰ אסתר נאמרה לקרות ולא נאמרה לכתוב, Megillah 7a

pretation of those rabbis opinions: 'The story of Esther was composed to be read, but not to be written down'.⁸¹ The latter agreed with their colleagues that 'the compilation of the story of Esther was made by the inspiration of the Holy Spirit',⁸² but were unwilling to admit that the Holy Spirit had inspired them to omit the name of God, seeing in this omission a certain faint-heartedness. The other rabbis, however, looked upon it from a different point of view, holding perhaps that the story is the more religious in its spirit, because of its being so entirely free from the phraseology of religion.⁸³

Bearing in mind the religious conceptions of Mordecai and Esther, we understand why Sirach did not enumerate them among 'the Fathers of the world'. To any un-

⁸¹ אסתר ברוח הקדש נאמרה, *ibid.*

⁸² See also Stanley, *History*, III, p. 201.

⁸³ Wildeboer, p. 172, and other commentators conclude from the fact that Sirach did not mention Mordecai and Esther, that their story was unknown in his time. Jampel, however, calls attention to Sirach's omission of Daniel and Ezra. But these omissions do not invalidate the critics' objection. The existence of the historical Daniel cannot be denied, as we have for it the testimony of Ezekiel (28. 3): 'Behold, thou art wiser than Daniel'. But there can be no doubt that the latter was not a contemporary of Ezekiel, as he is represented with Noah and Job as an example of a God-fearing man (14. 14, 20). If he was not a pre-historic personality, he must have lived in the hoary antiquity. The Book that bears his name is no doubt younger than Sirach. As to Ezra, Sirach was not a 'Bible-critic'. In his eyes Ezra was merely the copyist of the Mosaic Law and a holy man, but no more holy than the prophets Haggai, Zachariah, and Malachi, whom he also omitted to mention. Ezra, in Sirach's opinion, was only the leader of about fourteen hundred immigrants and one of the great teachers of the people. But having built neither the Temple nor the walls of Jerusalem, he did not leave a lasting memorial for future generations. Of Nehemiah he could say that he raised the walls of Jerusalem and restored the home of Israel. But Sirach could not have omitted the names of Mordecai and Esther who played such an important part in Jewish history, if he had considered them saints in Israel.

prejudiced mind it must have been obvious that they did not belong in this assemblage. In a later period, however, the Book of Esther having become popular, it would have been blasphemy to criticize the conduct of these saviours of Israel. The rabbis had no other course but to represent them as Jewish saints, and endeavoured to the best of their ability to defend and justify all their actions.

(To be continued.)

THE RABBINATE OF THE GREAT SYNAGOGUE,
LONDON, FROM 1756-1842.

By C. DUSCHINSKY, London.

APPENDIX VII

EXTRACT from Minutes of the Beth Din of Frankfort
relating to the sale of Rabbi Tevele's house 'Zum Grünen
Schild'.

MS. Adler, No. 935, page 187 a.

קפ"ז

ב"ה

ע"ד סרסרנות מן מכירת חצי בית צום גריני שילד שמכר הדיין ב"ה
מאיר שיף כ"ץ להו"ה ב"ה מאיר רויטשילד ע"י סרכור התורני ב"ה
מאיר מו יצ"ו וה"ה הדיין ב"ה ליור וואלי סגל תבע לפנינו מן ב"ה מאיר
רויטשילד ומן ב"ה מאיר מו שמגיע לו כל שכר סרסרנות באשר הוא הי'
סרכור ראשון והי' יכול לגמור וטעון לפנינו באריכות כל אחד ואחד
ובאשר שהצדדים הנ"ל חתמו עצמם בקומפרמיס לקיים הפשר שיצא
מאתנו נודקקנו להם ומצאנו בתורת פשר שכ"ה מאיר ר"ש הנל מחויב
ליתן לב"ה ליור הנ"ל חמשה חדש ר"ט ומן התשעה חדש ר"ט שמונח
עדיין ביד הדיין ר' מאיר שיף נר"ו יותן לו ארבעה חדש ר"ט יצא
מאתנו יו"ד זין בסליו תקמ"ו ל" רנ"מ ואני ור"מ ש (= ר' נתן מו ואני
ורמ"שיף).

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ב"ה

ע"ד שבא לפנינו ה"ה התורני הדיין ב"ה מאיר שיף כ"ץ נר"י ותבע
מן ה"ה ה"ה ב"ה מאיר רויטשילד יצ"ו שישלם לו א טרמיני ח"ב
מסניית חצי בית יסלו וב"ה מאיר רויטשילד השיב שרוצה לשלם לו אם

כ"ה מאיר שיף מרוצה בתשלומין שלו ושלא יתבע ממנו עוד שום דבר, וכ"ה מאיר שיף השיב ע"ז שיש לו עוד תביעות עליו רק שאינו רוצה להציע עתה עד לאחר הפירעון ח"כ שלו, וכ"ה מאיר ר"ש חזר והשיב ע"ז מאחר שכ"ה מאיר שיף הנ"ל אינו מרוצה עדיין בתשלומין שלו שוב אינו רוצה לשלם לו הדמי ח"כ הנ"ל אין מינץ רק אין חדש ר"ט, עוד השיב כ"ה מאיר רויטשילד הנ"ל שרוצה לנכות מפירעון ח"כ הנ"ל דמי קרונד צינץ מן הבית שלם באשר שאותו דמי קרונד צינץ שעולה על חלק חצי בית שהי' שייך להרב כמו"ה טעבל שיף כ"ץ נר"ו נזכר בפירוש בתוך מעשה ב"ד שלו שמחויב כ"ה מאיר שיף הנ"ל לשלם עד תשרי תקמ"ג ל"הב"על, ועל חלק חצי בית האחרת שהי' שייך לכ"ה מאיר שיף הנ"ל טוען כ"ה מאיר ר"ש הנ"ל שגם זה מחויב כ"ה מאיר שיף הנ"ל לשלם עד תשרי תקמ"ז הבע"ל באשר שיש לו הפירות עד זמן הנ"ל, בכן רוצה כ"ה מאיר ר"ש הנ"ל לנכות דמי קרונד צינץ כולה מן הפירעון ח"כ הנ"ל, וכ"ה מאיר שיף הנ"ל השיב לו יהי' כדבריו שהתחייבות הפירעון יהי' עליו מ"מ אינו צריך לשלם לכ"ה מאיר ר"ש הנ"ל רק להשררה יר"ה ועדיין יש לו זמן לשלם עד חודש זעפטעמבר בכן אינו יכול לנכות מדמי פרעון ח"כ ושטר אפוטיקו שהוא חוב ברור שעבר זמנו דמי קרונד צינץ שיוכל להחזיק עוד בידו עד חדש זעפטעמבר ובפרט שכ"ה מאיר ר"ש יש עליו לשלם עוד שארי טערמינה ח"כ שיוכל להחזיק בו על דמי קרונד צינץ הנ"ל, והנה הצ"ה הנ"ל התעצמו מאוד בטענותיהם זה מול זה המה וה"ה התורני כ"ה מאיר

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קצ"ט

מן בהרשאות כ"ה מאיר ר"ש הנ"ל כמבואר היטיב בק"ה המונח לפנינו, ואחרי שחתמו עצמם הצדדים הנ"ל בתוקף קומפרמיס בח"ה ובקנס סך מסוים לקיים כל אשר יצא מאתנו נזרקנו להם, ומצאנו שמחויב ה"ה כ"ה מאיר ר"ש הנ"ל לשלם לכ"ה מאיר שיף הנ"ל תיכף ומיד דמי ח"כ הנ"ל כפי שהתרצו שניהם לפנינו שיהי' התשלומין כפי שיכירו שני סוחריו באנקיעהר זה שלא בפני זה במעמד ה"ה הו"ה פ"ומ כ"ה איצק שפיאאר וכ"ה מאיר ר"ש הנ"ל האופן תשלומין על לשון ח"כ הנ"ל אין מינץ אודר חדש ר"ט, ומחמת מה שיש לכ"ה מאיר שיף הנ"ל עוד לתבוע מן כ"ה מאיר ר"ש הנ"ל, ואינו רוצה להציע לפנינו עד לאחר

הפירעון ח"כ הנ"ל, מצאנו שהדין עמו שיכול לחבוע אח"כ לפנינו ויקוב
הדין ההר ביניהם בתוקף קומפרמיס שלפנינו, ומחמת מה שרוצה לנכות
כ"ה מאיר ר"ש דמי קרונד צינץ מן הפירעון ח"כ הנ"ל, מצאנו שאותו
דמי קרונד צינץ שעולה על חלק חצי בית שה' שייך להרב כמ"וה טעבלי
שיף נר"ו, אינו יכול לנכותו מדמי פירעון ח"כ הנ"ל כעת, אכן אותו חצי
דמי קרונד צינץ מן חלק חצי בית שה' שייך לב"ה מאיר שיף הנ"ל יש כח
ביד כ"ה מאיר ר"ש הנ"ל לנכותו מן הפירעון ח"כ הנ"ל ויהי' בידו עד
שיקוב הדין את ההר ביניהם בתוקף קומפרמיס הנ"ל אם החיוב הוא על
ה"ה הדיין כ"ה מאיר

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ע"ב

שיף כ"ץ נ"רו כנ"ל או על הו"ה כ"ה מאיר ר"ש יצ"ו יצא מאתנו יו"
ג" טוב כיון תקמ"ו ל" רנ"מ ואני ור"מ ל (ורמ"ט?).

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ב"ה

אחרי שכבר יצא מאתנו ב"ד ח"מ פס"ד ב"ו טו"ב סיון העבר חזרו
ובאו לפנינו הצדדי' ה"ה התורני נאמן הקהלה כ"ה פייס הענא בהרשאת
ובמעמד התרני הדיין כ"ה מאיר שיף נר"ו ותבע מן ה"ה ה"וה כ"ה
מאיר רויטשילד וטוען אחרי שמכירת חצי בית מן הדיין כ"ה מאיר שיף
לב"ה מאיר רויטשילד הנ"ל הי" על אופן זה שהתשלומין שליש דמי
מכירה נגד מסירת החלטה וכמו כן התשלומין דמי שמונה טערמינן קרוב
מן הישני שליש' הנותרי' יהי' הכל אין קרלינר א אחד עשר זהו"
וכמבואר ביטטר קנין ובשטר אפוטקו בפי" והלוח כ"ה מאיר ר"ש הנ"ל
לא קיים את קנינו ומסר להתורני כ"ה בענדיט הענא סנ"ל שליח של
המזכר הנ"ל דמי השליש אן נאב נגד מסירת החלטה מהם אין חדש
ר"ט ומהם אין מנינן ושמונה טערמינה ח"כ כתב התשלומין אין ד"ר זהו"
פוס וכאשר הביאים כ"ה בענדיט הנ"ל לב"ה מ"ש הנ"ל הי' צועק ככרוכי"
היאך שינה הלוקח את התשלומין הנ"ל והשיב ר"ב שלא הי' ידע שהפירעון
היכרח להיות אין קרלין א י"א זהו" ועל זה השיב הדיין כ"ה מאיר שיף
הנ"ל לפי י"עה רוצה לקבל וכיום מחר אצעק ע"ז שהוא עולה גדולה ויען
כי באותו הפעם לא הי' ההפריש בין קרלין ובין התשלומין אשר נתן לי

רק לערך חצי למאה לא רצה לירד עמו לפני דינא ודינא אך עזה שהזמין אותו הלוקח הנ"ל לדינא תבע הדיין כ"ה מאיר שיף הנ"ל מן הלוקח כ"ה מ"רש הנ"ל ההפרש שיש בין קרלין והתשלומין אן גאב שעולה לערך עשרה זהו" ומחמת טערמיני ח"ב שנתן לו שהעמידם אין מינץ תבע כ"ה מאיר שיף מן כהר"ם ר"ש

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(דף ר"ג ע"א)

הנ"ל שאותו ח"ב שישנו עדיין בידו גם מה שאינו בידו ואפשר להשתדל להביאו תחת ידו עוד יכתוב לו ח"ב אחרים מאותו זמן הנזכרי' בישינם (!) לשלם אין קרלין א אחד עשר זהו" ובשביל אותן ח"ב שאינם תחת ידו ויהי' בלתי אפשר לשנותם, והם בשביל אותו ח"ב ראשון שכבר שילם לו כהר"ם ר"ש הנ"ל אין מינץ תבע כהר"ם שיף הנ"ל שלשה למאה באשר שכעת ההפרש בין קרלינר ובין מינץ עושה כ"כ וטוען הדיין כהר"ם שיף הנ"ל שמשום כך כתוב בפירוש בשטרות אין קרלינר א אחד עשר זהו" כדי אם שילם לו הלוקח במטבע אחרת זולת קרלין אזי צריך להעלות לו כל הלאישע¹⁸⁸ שבין קרלינר ואותו מטבע ועכשיו עולה הלאישע ג' למאה בכך מחויב הלוקח לשלם לו או אין קרלינר נאטורא אדער אין מינץ בעלוי ג' למאה והאריך(ו) בטענותיהם במבואר בק"ה המונח לפנינו, וה"ה התורני כ"ה מאיר מן בהרשאת ובמעמד הו"ה גבאי ת"ת כ"ה מאיר ר"ש השיב שדרך הסוחר' הוא אם כתוב' אין קרלין א אחד עשר זהו" ולא כתוב אין זהב אדער אין נאטורא אזי יכולין לשלם קרלינר או חדש ר"ט אונד מינץ הוא כעת טוב יותר מחדש ר"ט בכך אינו צריך לשלם לו לאישע ולשנות ח"כ ובאם שכוונת השטר יהי' דוקא אין קרלינר מפני מה כתוב בשטר א י"א זהו" הי' לו לכתוב בתוך שטר קנין סתם חמשה מאות וחמשים קרלינר ועוד טוען מה שעלה כעת הקרלינר ג' למאה נגד מינץ מפני שצריך להיות בתשלומין ח"כ כפי צוואות השררה יר"ה שטיין וויכטיג ובאותו פעם בשעת קנין לא הי' מן הצורך להיות כך לתשלומין ח"כ רק בחסרון חמשה עסין ואף שלשון השטר יהי' דווקא אין קרלינר מ"מ אחרי שכבר התרצה א"ע כהר"ם שיף הנ"ל בקבלת אן גאב בתשלומין חדש ר"ט רק הי' קפידא שלו מחמת מינץ בכך אין יכול לתבוע שוב קרלינר באשר שמינץ הוא טוב יותר מחדש ר"ט וכ"ה מאיר שיף הנ"ל חזר והשיב שסומך עצמו על לשון אפותיקו שבירדו שהפרעון

¹⁸⁸ Agio = אישע.

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(דף ר"ג ע"ב)

צריך להיות אין קרלין ולא בדבר אחר ומה שנאמר א' י"א זהו" כבר
טוען שכדי שהעלה לאישע יהי" שלו וכמשמעות לשון השטר הקרקע עומד
עדיין בחזקת מרא קמא כל זמן שלא נתפרע כפי התחייבות השטר
והאריכו הצדדים הנ"ל בטענותיה' ובתשובותיהם כמבואר באריכות בק"ה
המונח לפנינו והנה כפי קומפרמיס שבידנו שחתמו הצדדים הנ"ל א"ע
בח"ה ובקנס סך שני מאות ר"ט חצי לשררה יר"ה וחצי להקדש לקיים
הפס"ד שיצא מאתנו נזרקקנו להם ואחרי שדקדקנו הדק היטיב ועניננו
(ועייננו) בלשון השטר הקנין שביד נאמני הקהלה יצ"ו שנעשה על מכירה
הנ"ל וגם בלשון השטר קנין והשטר אפותיקו ואחרי שדרשנו את השליח
כ"ה בענדיט הענא סג"ל הנ"ל וגם לאחר חקירה מבעלי מו"מ בענין חלוקי
מטבעות ודרך תשלומי ח"כ בלשון ח"כ אהרי כל הנ"ל מצאנו שהברירה
יהי" ביד הו"ה כ"ה מאיר ר"ש הנ"ל אם רוצה להניח אותן טערמיני ח"כ
ככתבם וכלשונם אויף דעם ד"ד זהו" פוס ולא רצה לישנותם ולהעמידם
הפירעון אין קרלין א' י"א זהו" אזי מחויב כהר"מ ר"ש הנ"ל לשלם עוד
להדיין כהר"מ שיף הנ"ל מחמת תביעות לאישע על כל סך דמי מכירה
הנ"ל כנ"ל סך חמישה עשר רייכסטאליר אין קונפונטציאהנש מינץ א' ד"ד
זהו" פוס ובזה נתפרע תביעות כהר"מ שיף הנ"ל הן ממה שכבר שילם הן
מחמת טערמיני בריף שעליו לשלם עדיין ובאם ירצה כהר"מ ר"ש הנ"ל
לישנות אותן טערמיני בריב שביד הדיין כהר"מ שיף ויתן לו חדשים מזמן
הקנין לשלם לזמן הראשונים אין קרלין א' י"א זהו" אזי אינו מחויב לשלם
הלאישע רק על התשלומין אן גאב נגד מסרת החלטה וגם בשביל
תשלומין ח"כ אחד שכבר פרע אין מינץ וגם על אותו ח"כ שאי אפשר
לכהר"מ שיף להביאו תחת ידו כדי לישנות אותן ישלם כהר"מ ר"ש הנ"ל
הלאישע מן כל אלו לפי ערך מסך חמישה עשר ר"ט על כל דמי מכירה
הנ"ל.

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(דף ר"ד ע"א)

עוד האריכו הצדדים הנ"ל מחמת דמי קרונד צינץ שכבר מבואר
בפס"ד שיצא כבר מאתנו וכנ"ל שכהר"מ ר"ש הנ"ל רוצה לנכות מפירעון
טערמיני ח"כ מה שמוטל על כ"ה מאיר שיף הנ"ל לשלם דמי קרונד
צינץ מן הבית שלם עד ר"ה תקמ"ז ל"ה הבע"ל באשר שאותו דמי קרונד
צינץ שעולה ע"ה חצי בית שהי' שייך להרב כמו"ה טעבלי שיף כ"ץ נר"י

נזכר בפירוש במעשה ב"ד שפטור כ"ה מאיר ר"ש הנ"ל לשלם עד תשרי תקמ"ז ל" והחויב הוא על כ"ה מאיר שיף הנ"ל במקום הרב נר"י על חלק חצי בית האחרת שהי' שייך לכה"רמ שיף הנ"ל טוען כ"ה מאיר ר"ש הנ"ל שגם זה מחויב כה"רמ שיף לשלם עד תשרי תקמ"זל" הבע"ל באשר שיש לו עדיין הפירות מחצי בית שלו עד זמן הנ"ל וכ"ה מאיר שיף הנ"ל השיב מחמת חלק דמי קרונד צינן מחצי בית שהי' שייך לאחיו הרב נר"ו הנ"ל אף שהוא מרוצה לשלם בשבילו היינו דוקא מה שמחויב אחיו הרב נר"ו לשלם מכיסו אכן מה שמחויב' השכנים מחזיקי בית ר"ז שיף וב" יודא זיכל לשלם החצי מערך שנים עשר זהו" מ"מ מה שנוכר בק"צ ביכל יותר ממ"ה שנכתב בק"צ ביכל שלהם וכפי השטר שיש ביד כ"ה מאיר ר"ש הנ"ל מחויב' המה לשלם החצי וטוען רמ"ש הנ"ל שאינו מחויב עוד לתבוע מהם רק שכ"הר"מ ר"ש שיש לו השטר בידו לתבוע מהם מה שמוטל עליהם להשלי" דמי קרונדצינן של הרב ועל חלק דמי קרונדצינן מן החצי בית שהי' שייך לכ"ה מאיר שיף נר"י השיב כהר"מ שיף שהחויב דמי קרונדצינן הוא על גוף הקרקע מי ששייך לו ולא על מי שיש לו הפירות והא ראי" אפי" בית ותל עולם מחויבים הבעלים לשלם ק"צ וגם האלמנות שדרה בתורת מיגר א" אין מחויבת לשלם ק"צ והאריכו בטענותיהם גם בזה כמבואר בק"ה המונח

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דף ר"ד ע"ב

לפנינו ובאשר שבענין דמי ק"צ הנ"ל נתנו הצדדי' הנ"ל עיניהם על הב"ד לפשר ביניהם ולקיים כפי הפשר שיצא מאתנו נזדקקנו להם ומצאנו בפשר דבר שחלק קרונדצינן מחצי בית שהי' שייך להרב נר"ו מחויב הדיין כ"ה מאיר שיף נ"י לשלם עד ר"ה תקמ"גל" הב"על כפי החויב הנזכר בביכל שלהם והוא יתבע ממחזיקי ר" זלמן שיף הנ"ל מה שמוטל עליהם וכ"ה מאיר ר"ש הנ"ל יתן לו השטר הנ"ל כדי שיוכל לתבוע מהם ובאופן שלאחר הפירעון מחויב להחזיר לו תיכף השטר הנ"ל ומחמת דמי ק"צ חצי בית שהי' שייך להדיין כ"ה מאיר שיף הנ"ל מצאנו ע"ד פשר דבר שבהר"מ שיף הנ"ל ישלם שני שלישם מסך דמי קרונדצינן העולה כיו" מכירה עד ר"ה תקמ"ג ל" הבע"ל ועל כ"ה מאיר ר"ש הנ"ל שליש אחד יצא מאתנו אור ליו" ד" ד"ט מנחם תקמ"ו ל" רנ"מ ואני ורמ"ל (ורמ"ש?).

APPENDIX VIII

ELEGY on the death of R. David Tevele Schiff, by Isaac and Zalman Keyzer of London. (Leaflet printed on one side only. Size 26 x 23 cm. In the possession of Mr. Sigm. Seeligmann in Amsterdam, who kindly copied it for me.)

אחרי רואי את הכתבים. מכתבים. מהנהי בחורים החשובים. בן עשר
למישנה. ובן שלש עשרה למצות. האחים החביבים. בני אחי ידיר נפשי.
שיחיו לאורך ימים טובים:

מה שעלתה במצודותיהם. לנחם את אנשי שלימים ויראים. הבוכים
ומספידים על אבירותיהם. אבדת רבים ומגיניהם. מגן דוד הכהן הגדול
אב"ד זצ"ל שהיה אצליהם.

אמר לי לבי. חנוך לנער על פי דרכו וגם כי יזקין וגו". לכן דפסתי
אלה הדברים. להיות על לוח לזכרון שמורים. לכבוד בחורי חמד
הנוכרים:

העתק מכתב הב"ח איצק בן ר' ליוזר קיזר שיחי'.

ב"ה לאנדאן יום ג' כ"ד כסליו תקנ"ב

על מות האדון הגאון הגדול המפורסם בדורו לשם ולתהלה מהור"ר
דוד הכהן מנוחתו כבוד

קול בכי עובר נהי תמרורים. מת דוד מלך בישראל. לא יעברון עוד
צאנו במרעת האהבה והיראה תחת שבטו. לא ישכנו עוד תחת ממשלתו
עלי מי מנוחות מצאים ברכת ה". הלא מת רועם. לא ינהיגם עוד
באורחת משפט וצדקה. כאב אוהב בנו. ידידו אהבם. כנשר יעיר קנו
שמרם. ראה עותותיהם ויסרם במשפט ובחסד טוב לישרים. שונא
חטאים. ריע נאמן.

אהה לאנדאן! היש מכאוב כמכאוביך: היש עיר אשר ימצא בה
איש כחכם אשר אבדת? אל מה אדמה שברריך. מה פשעך. שככה
לך. ומה חטאתיך. שאבדת איש אשר חכמתו ומעשיו כולם שוים הם
לטובת עדתו ועמו?

אמנם אחרי שובי נחמתי. בהעלותי על לבי כי המותה לחסידים. הוא הטוב האמיתי. עוד דוד חי בעולם אשר בו לנצח יחיה. שמה לא יראה חמס עוצב ושור, לנצח יחיה בשמחה וגיל. זה ינחמינו ממכאובינו. ומיגון נפשינו. ונברך לה"א אשר בידו המות והחיים: ה"ק יצחק בן כ"ה ליזר קיזר יצ"ו

העתק מכתב הב"ח זלמן בן ר' ליזר קיזר
ב"ה יום ג' כ"ד כסליו תקנ"ב
על מות הרב הגדול ח"ו וי"א המפורסם לשבח כמהו"ר דוד הכהן מנוחתו כבוד.
גלה כבוד מישראל. כי מת רבם הגדול וצדיק בדורו היחיד והנבחר בעמו. כצאן אשר אין להם רועה תועים הם הולכים במדבר ויפלו ברעב ובצמא. טרף המה לחיות. כן עם אשר אין להם שר ושופט תועים המה בדרך בלתי יודעים לצאת ולבא. על זאת אני מתעצב. אבל לא על מות הצדיק. כי רק גופו מת. אבל נשמתו בוא תבוא אל ארץ שכולו טוב. ושם יאכל פרי צדקתו. על כן נתחזק ונתאמין. כי עוד רבינו חי בעולם הבא. אשר שם ימלך טוב בעדינו ובעד עדתו. ה"ק זלמן קיזר.
חוקו ואמצו לבבכם. בני אחי אליעזר אביכם. למדו היטב מקרא משנה וגמרא כל ימיכם. ובזכות זה ה"י יברך אתכם בכל טוב כמשאלותיכם וכמשאלות דודכם ה"ק אברהם קיזר פה אמשטרדם כ"ב טבת
רק חזק ואמין לפ"ק.

TRANSLATION.

On seeing these writings of the two worthy youths, the one ten, the other thirteen years of age, sons of my beloved brother—what they wrote as consolation for their brethren who mourn their loss, the loss of the multitude (caused) by the death of their leader, the High Priest David their Rabbi, my heart spoke to me: Train up the youth in the way he should go and even when he is old he will not depart from it (Prov. 22. 6). I have had, therefore, these words printed, so that they may be inscribed on the tables

of their hearts and in honour of the above-named pleasing youths.

Copy of the writing of the youth Isaac, son of Lazar Keyzer :

London, Tuesday, 24th Kislev, 5552.

On the death of the great Rabbi, famous in his generation, R. David the Priest, may he rest in peace.

A sound of crying is heard, bitter wailing.

David, King of Israel, is dead, his flock will no more be led by him, who tended them with love and piety, no more will they be under his rule on the quiet waters where they found the blessings of God. Their Shepherd is dead. He will not lead them any more on the paths of right and charity. As a father loves his son, his beloved, so he loved them ; as the eagle watches his nest, so he guarded them. He saw their failings and reproached them in justice and kindness. He was averse to sinners, (and still) he was their true friend.

Woe to thee, London! Is there a pain like thine? Is there a town in which is to be found a wise like the one thou didst lose? To what shall I compare thy hurt, what was thy sin that such has befallen thee? What was thy transgression that thou didst lose a man whose wisdom and deeds were all devoted solely to the welfare of his congregation of his people?

However, on consideration I find consolation (in the thought) that to the righteous death is the real Good. For David yet lives in the world where he will live for ever, where he will not see either violence or sin and sorrow, for ever will he live in joy! This may console us in our pain, in the sorrow of our soul, and let us bless the Almighty in whose hand is death and life.

Isaac, son of Lazar Keyzer.

Copy of the writing of Zalman, son of R. Lazar Keyzer.
Tuesday, 24th Kislev, 5552.

On the death of the great Rabbi, famous in his generation, R. David the Priest, &c.

Glory has left Israel, as their great Rabbi, the righteous of his generation, the elect one of his people—is dead. Like sheep without a shepherd, which wander in the desert and perish of hunger and thirst, a prey to the beasts—so is a people without a leader and judge erring on the way (of life) not knowing where to come and where to go. For this I mourn, but not for the death of the righteous man, as only his body is dead, but his soul has arrived in a land where everything is good, there he will reap the fruit of his piety. Let us be strong and brave therefore—our Rabbi yet lives in the Eternal world (coming world), there he will be a good intercessor for us and for his community.

Zalman Keyzer.

Be strong and of good courage you sons of my brother Eleazar, your father, learn well Torah, Mishna, and Talmud all your lives. Then God will bless you in everything according to your own wishes and the wish of your uncle,

Abraham Keyzer.

Amsterdam, 22 Tebeth, 5552

APPENDIX IX

MS. Adler 2261.

Recto, pp. 1–60. Account of a firm of polishers, Abraham Michel and L. I. Abrahams. The items are written in a clear, careful hand, and show the cost of materials, labour, and 'proffet'. The yearly account for 1803 closes on p. 60 with a profit of £509 12s. 10½d., of which L. A.'s share is £169 17s. 7½d.

The pages verso were used by R. Solomon Hirschel as book of records for authorizations he gave to Shoḥetim. Page 1, verso, contains the undertaking which every applicant had to sign before being authorized by the Rabbi. It reads:

1. נתתי תקיעת כף שלא אשחוט במקום שיש שוחט קבוע שיש לו קבלה
 מהג"א אב"ד דק"ק לונדון יע"א אפילו לעצמי ובכל זמן שיאסור
 עלי אפילו באמירה בעלמא שלא אשחוט אסור לי לשחוט אפילו
 לעצמי בכל מקום ובכל זמן ולא אגלה בתער ולא אשתה סתם
 יינם כ"א לרפואה דווקא על כל הנ"ל נתתי תקיעת כף ליד
 הנא"ב דמו" שלמה נר"ו היו"י יו"ג א" דר"ח מרחשון תקפנימל
 לפ"ק פה ק"ק לונדון יע"א נאו' משה בלא"א כמהור"ר אהרן
 דנציג, Moses Aaron

List of Shoḥetim authorized.

Page 1 b.

2. Zevi Hirsch b. Solomon of Simiatel (signed 'Mr. Hart Bidefield'). 1 Heshv. 5583. Bidefield.
3. Moses b. Benjamin. 17 Heshv. 5583.
4. Nahman b. Z. the Levite (S. Newman, Leeds). 24 Sivan, 5583. Leeds.

5. Jonah b. Menahem,¹⁸⁹ called Jonas Levy. 15 Shebat, 5583. Cincinnati, Ohio, U.S.A.
6. Solomon Israel Hornstein (' Mr. H. Solomon Horinstein in Plymouth ' signed in English). 25 Sivan, 5583. Plymouth.
7. Simon b. Jehiel Sofer (Engl. signature:)^{189a} Simion Jonas. 21 Tammuz, 5583.

Page 2 a.

8. Hayyim b. Rabbi Isachar. 1 Ab, 5583.
9. A Shoḥet in Chatham (letter to the same for not obeying the rules) dated: 17 Ab, 5583.

Page 3 a.

10. Michael Zalman Pollack. 26 Ab, 5583. Plymouth.
11. Judah Leb. b. Mordecai. 5 Elul, 5583. Norwich (נאריש).
12. Falk Neumegen. 28 Kislev, 5584. Highgate.

Page 3 b.

13. Abraham b. Sherage Feivish of Semija (סעמייא). 22 Kislev, 5584. Leeds.
14. Abraham b. Moses Neugass. 9 Tebet, 5584.
15. Michael Elijah b. A. of Rawitsch. 11 Sivan, 5584.
16. Samuel b. Michael. 4 Tammuz, 5584.

Page 4 a.

17. Zeev Wolf b. M. 8 Tammuz, 5584.
18. Joseph Benjamin Fishmonger, High St., Worcester. 6 July, 5584 A. M. Worcester (Engl.).

¹⁸⁹ The entry reads: I Jonas Levy from Exeter, Devonshire, living at Cincinnati, State of Ohio United States of America, acknowledge that I have given my hand to the rules mentioned on the other side. יונה בן מנחם תקפג טו שבט. 'Jonas Levy, Dirrect for Phillip Symonds Cincinnati, State of Ohio. United States of America.'

^{189a} The English signatures will in the following be marked by (Engl.).

19. Zevi Hirsch b. Rabbi David of Bialistock. 17 Tammuz, 5584.

Page 4 b.

20. Eliezer ("ש"יב ב . . . מקו"). 1 Ab, 5584.
21. Nathan b. Meir.¹⁹⁰ First day of Seliḥot, 5584. Bedford.

Page 5 a.

22. Judah Leb. b. K. (יהודה ליבמ"ק זצ"ל). 15 Kislev, 5585.
23. Moses b. Zevi Hirsch. 23 Tebet, 5585. Yarmouth.
24. Jacob Koppel b. D. K. (Engl. 'Jacob Koppel Hyman').
35th day of Omer. Cheltenham.

Page 5 b.

25. Moses b. Leb Deutz (Moses Levy) of Frankfort on
Main. 37th day of Omer, 5585. Dover.
26. Jehiel Michael b. Abraham. 7 Heshvan, 5586.
27. Jacob Kish¹⁹¹ (יעקב ברב קיש). 7 Heshvan, 5586. Not-
tingham.
28. Benjamin b. Menahem. 13 Kislev, 5586. Brighton.
29. M. Michael (Engl.). Glasgow.

Page 6 a.

30. Simon b. Ber כ"ץ (Engl. 'Simon Campl.'). 12 Teb.
5586.
31. Jonathan b. Rabbi Isachar. 11 Shebat, 5586.¹⁹²
32. Joseph Abraham b. A. 21 Adar I, 5586. Bristol.
33. Joseph Goldman. Dartmouth.

¹⁹⁰ 'I gave my hand in תקיעת כף to the Revd. Dr. Herschell, that I will abide with above mentioned Obligation to keep to his orders. Should I hereafter infringe on them I shall consider myself פסול to our Religious orders.' Signed by me this day,

נתן בר מאיר מבעדפורט.

¹⁹¹ Added: 'לפרנס דוד בר ישוע סג"ל': Nottingham.'

¹⁹² היום ד" י"א יבט תק"פו למב"י (!) לפ"ק

34. Alexander b. Nathan (English: Alexander Jacobs).
29 March, 5586 (1826).
35. Michael Mordecai b. Nissan. 14 Tammuz, 5586.
36. Eliezer Lezer b. Mordecai of Lissa. 14 Tammuz, 5586.
37. Abraham b. Joseph. 10 Ab, 5586.
38. Salomon Zalman b. A(kiba?) from Saniekova (Carni-
kow?) שלמה זלמן בר"ע משאניקאוו (Engl. Solomon
Sternburgh Glasgow). 16 Ab, 5586. Glasgow.

Page 7 a.

39. Eisik (of) Türkheim. 15 Ab, 5586.
40. L. A. Samson (Engl.). 15 Ab, 5586.
41. Zevi Hirsch b. Solomon Heilprin. 27 Ab, 5586.
42. Israel Elijah b. Dov Ber of גרעבינאוויץ. 5 Heshv. 5587.
43. Meir Jacob b. Benjamin Benas (בייניש). 10 Kisl. 5587.
44. Meir b. Rabbi Isaac Statthagen. 28 Elul, 5587.

Page 7 b.

45. Simon b. Rabbi Jacob Leb. 2 Heshv. 5588.¹⁹³

Page 8 a.

46. Michael Levi b. R. S. Sofer of Carnikau. 24 Heshv.
5588.
47. Judah Leb. b. Isahar Levi. 13 Kisl. 5588.
48. ——— 'nephew of Simon. he forgot to sign' (R. Solomon's
hand).
49. Mr. W. Abrahams, 'von Deemens(!) Land'.¹⁹⁴ (No date.)

¹⁹³ Authorized as פונקר porcher; in the Rabbi's handwriting is added
'לזכרון ר' שמעון הנ"ל לא גילה זקנו ויש לו הרגשה טובה והוא משביל'.

¹⁹⁴ His declaration reads: 'I have given my hand to the Revd. Solomon
Hirschele to abide by certain rules which he laid down to me as I am to kill

- 50. Alexander b. Eliezer. Hanuccah, 5588. Exeter.
- 51. Benjamin b. Rabbi Leb of Hungary. 14 Elul, 5588.
- 52. Jehiel b. R. Nathan. 24 Elul, 5588.
- 53. Meir b. Samuel. 1st day of Holhamoed Succoth, 5589.
- 54. Arjeh b. Jacob (signs as follows: 'חזן in Jamicar'
[Jamaica]). 5 Jan. 5589.

Page 9 a.

- 55. Abraham b. David Berliner.
- 56. Gabriel b. — 47th day of Omer, 5589. Portsmouth.
- 57. Jacob b. Meir. 14 Sivan, 5589.
- 58. Meir b. Rabbi Judah אייטבליך (?). עט"ק עקב, 5589.
Swansea.

Page 9 b.

- 59. Zeev Wolf b. Rabbi B. of Biale. 20 Heshvan, 5590.
- 60. Meir Solomon Zalman b. Aryeh Leb of Wladova.
20 Kislev. 5590.
- 61. Meyer Lyon of מיטשעסטער (Engl.). Chichester.
- 62. Moses b. Jonah, son-in-law to Mr. Simon. 19 Omer,
5590 (Engl.).

Page 10 a.

- 63. Abraham b. Isaac Levi ('the particulars concerning
Gloster I and my father abide by. A. Levy.')
19 Omer 5590 (Engl.). Gloucester.
- 64. Isaac b. Jacob Wolf. 13 Sivan, 5590.
- 65. Michael Levi b. M. 13 Ab, 5590.
- 66. Jacob of Copenhagen (יעקב במ"ר מק"ה). 5 Tishri, 5591.

poultry.' Van Diemen's Land was the name of the Australian Island Tasmania before the year 1856.

Page 10 b.

67. Moses b. Hayyim Sachs (Engl. 'Moritz Sachs שוחט
(בקענטרבערי'). 6 Shevat, 5591. Canterbury.
68. Abraham b. Rabbi Moses Isaac, Rabbi of Samlin
(ה"ק אברהם בהרב מ"ה משה יצחק א"ב ד"ק זאמלין), A.
Rozenbaum). 14 Omer, 5591.
69. Jacob b. Meir (Engl.: I. Isaac שוחט לברייטן). 20
Omer, 5591. Brighton.
70. Isaac b. Samuel. 34 Omer. . . (Engl.)

Page 11 a.

71. Moses b. Joel (ארבאים (!) לעומר). 40 Omer, 5591.
Edinburgh.
72. Michael Elijah b. J. of Rawitsch. 42 Omer, 5591.
73. Nathan b. Gedaljah.
74. Koppel b. Rabbi Perez Levi. 2 Tam.
75. Simon b. Jacob ben S. ben A. of Wreschen. 5 Tam.
5591.
76. Israel Elijah b. Rabbi Dov Ber. ד' פנחם, 5591.
77. Ephraim Arjeh b. Meir Moses (Engl.: 'Ephraim Moses
in Scarb^{ro} for my uncle Jacobs'). 23 Elul, 5591.
Scarborough.

Page 11 b.

78. Nahman b. Rabbi Simḥa מסקידל.
79. Zalman Rosenthal. 10 Heshvan, 5592.
80. Aaron b. A. (Engl.: 'Aron Abrahams'). 13 Heshvan,
5592. Yarmouth.
81. Joseph b. Asher (Engl.). 22 April, 5593.

Page 12 a.

82. Solomon Platura (שלמה פלאטורה בן מהר"ר מנשה יצ"ו).
20 Ab, 5593. Leeds ('with Mr. Davis').
83. Judah b. Joseph Levy (Engl.: Israel Joseph). 20 Aug.
5593.
84. Lewis Levy. 13 Elul, 5593. Bedford.

Page 12 b.

85. Judah Leb. b. M. Leb. ר' פ' וירא, 5594.
86. Hirsch b. Abraham Zevi of Gallin. 8 Adar II, 5594.
87. Moses Landau of Krakau (added וגם להוציא ריאה מבחיץ
Engl.: Moses Lando-Kenterbury). 3 Sivan, 5594.
Canterbury.
88. Alex^r Cohen. 5 Aug. 5594 (Engl.).

Page 13 a.

89. Eliezer b. Sam. Cohen.
90. Israel Joseph (Minz?).
91. A. ben Zeev (in R. Solomon Hirschell's hand: (Hebr.)
of Bialistock, called also Elijah Schneider). 21 Elul,
5594.
92. Judah Leb of Witas in Moldavia (note: 'He has been
in America'). 4 Heshvan, 5595.
93. Baruch b. Rabbi Abraham. 7 Heshvan, 5595.

Page 13 b.

94. Leb b. Simon the Levite (Engl.: Lewis Simon). 1 Dec.
5595.
95. Menahem b. H̄anok. 26 Shebat, 5595.
96. Jesaiah Zeev of Pitschow. 9 Nisan, 5595.

Page 14 a.

97. Solomon Zalman b. Eliezer Schotlender, Dayyan in Wreschen.
98. Nathan b. Rabbi Gerson. 23 Shebat, 5596.
99. Zalman Rosental. 3 Adar, 5596.
100. Judah b. Jacob. 1 Ijjar, 5596.
101. Nisan b. Michael Abraham of Breslau. 4 Ijjar, 5596.

Page 14 b.

102. Benjamin Berlin. 14 Tammuz, 5596.
103. Leb Wolf b. Rabbi Juda Sternberg. 1st day of Holhamoed Succot, 5597.
104. Petahjah b. Isachar Ber. 1st day of Holhamoed Succot, 5597.
105. Shmerl b. Rabbi Abraham Katzenellenbogen. 23 Heshvan, 5597.
106. Michael Simon Nuernberg. 10 Adar I, 5597.

Page 15 a.

107. Mordecai b. Rabbi Moses Zevi. 10 Ijjar, 5597.
108. Jesajah Zeev of Pintschow. 1 Tammuz, 5597.
109. Joseph b. R. . . . 20 Elul, 5597.
110. Moses b. Zevi Hirsch Lissenheim of Schoenlanke. 9 Tammuz, 5598.
111. Joseph Caro. 10 Elul, 5598.

Page 15 b.

112. Abraham Sisman (Lipman?) b. Joseph Eppelman. 4 Kislev, 5599.
113. Jacob Leb b. Rabbi Mose (in Rabbi Sol. H.'s hand: 'he went to Greenwich'). 1 Nisan, 5599.
114. Moses b. Joel. 9 Tammuz, 5599.

115. Juda Leb b. Nissan (nephew of R. Jacob of Sunderland) (R. Sol. H.'s hand: 'The address of R. Jacob is: Mr. Jacob Joseph, High St., Sunderland'). 23 Heshvan, 5600.
116. Nathan b. Joseph the Cohanite, Blitz (he is Shoḥet to Mr. Mayer). 4 Ijjar, 5600.

Page 16 a.

117. Aryeh Zeev b. Rabbi Juda Sternberg. 10 Sivan, 5600.
118. Moses Judah b. Rabbi Noah. נ"ב פ' שלה, 5600.
119. Joshua Ezekiel Levi. 4 Tammuz, 5600.
120. Nathan Cohn. 21 Tammuz, 5600.

Page 16 b.

121. Joseph Caro. 3 Ab. Newcastle.
122. Shmerl b. Rabbi Abraham Katzenellenbogen.
123. Jeḥiel b. Rabbi Nathan.
124. Judah Leb b. . . . Fraenkel. 11 Elul, 5600.
125. Samuel b. Hayyim, Hazan in Manchester. 11 Elul, 5600.
126. Michael Zevi b. Simon (Engl.: M. H. Simonson). 25 Shevat, 5601.
127. Moses b. Meir C'z. 5 Tammuz, 5601.

Page 17 a.

128. Simha b. D. Caro of Posen. 29 Tammuz, 5601.
129. Dov Ber b. Isaac. 25 Ab, 5601.
130. David b. S. M. the Levite of Kalish. 19 Shebat, 5602.
131. Isaac Jacob b. Rabbi A. the Cohanite (added: גם שלא ליתחוט באקספורט). 13 Adar, 5602.

Page 17 b.

132. Mose Kosk (possibly Falk). 24th of Omer, 5602.
 133. Raphael b. Rabbi Issachar Ber. 18 Ab, 5602.
 134. Mose Rabbinowitch the Cohen. 26 Ab, 5602.
 135. Michael Simon b. M. Nürnberg. 17 Elul.

Page 18 a.

136. Shemarjah David Randel (?). 4th day of Selihot, 5603.
 137. Joseph b. B. of F...s (Freistadt?). 17 Elul, 5603.
 138. Eliezer b. R. Simon. 24 Elul, 5603.
 139. Abraham b. Rabbi Zeril. Day after Succot, 5605.
 140. Issachar b. Eliezer. 23 Heshvan, 5605.
 141. Jacob Isaac the Cohanite. 20 Shevat, 5605.
 142. Edward Himes. 17 March, 5605.¹⁹⁵
 143. Michael Zevi b. Rabbi S. 48 Omer, 5605. Hazan
 in Manchester.
 144. Zevi Hirsch b. Rabbi Isaac of Sklow. 11 Ab, 5605.
 145. Baruch b. Rabbi Abraham. 11 Ab, 5605. Shoḥet
 of the New Synagogue in Manchester.

Page 24 a.

146. Wolf b... 31st day of Omer, 5587.
 147. Joseph Kalish, beadle of the Synagogue in Alie Street
 (בארליא סטריט). 12 Sivan, 5587.

¹⁹⁵ 'I hereby certify that I have this day received the sanction of the *Beth Din* for to slay cattle for Sir Isaac Lyon Goldsmid individually only, and should my engagement with the same cease this permission will be discontinued by them, for which I declare hereby my solemn religious obligation. Also to adhere to the rules of a שומט, viz. not to shave nor to drink Wine from the גוים unless for illness, and as soon as the Beth Din orders me not to kill I must lay down my knife, for which I hereby give my hand תקיעת כף. signed by myself. Edward Himes.'

ADDITIONAL NOTES AND CORRECTIONS

ADDITIONAL NOTES TO PART I.

Page 1 (*JQR.*, N. S., IX, p. 103).

The first Rabbi of the Ashkenazim in London, R. Judah Leb b. Efraim Anshel, was known by the name of Hamburger. His signature to the approbation he gave for the edition of *Pirke de Rabbi Eliezer*, Amsterdam, 1708, 12mo, is as follows: יהודא ליב בן א"א מ"ז מו"ה אפרים אשר אנשיל ז"ל המבורג עובד עבודת הקודש ק"ק אשכנזים מאמשטרדם בעת ההיא לפי שעה שהוא בין מלכא למלכא וה" ישלח לנו מלכא משיחא בבי"אא ער"ה שנת תרב גדולתו ותסב וגו' לפ"ק. This edition was arranged by R. Moseh Gomes Mesquita, who later became Ḥaḥam in London, where he died on May 8, 1751 (cp. Gaster, *History of Bevis Marks*, p. 130). Rabbi Judah Leb was already in 1700 in Rotterdam, and not as stated by me (p. 1) in 1705. He signs an approbation to the *Menorath Hamaor*, ed. Amsterdam, 1700, 8vo, on the 30th of Shebat of that year. I am indebted to my friend Mr. Sigm Seeligmann for calling my attention to this, as well as for the following: In the 'Kabronim Regel', a manuscript in the possession of the Amsterdam community, containing records of burials, the following two entries are to be found: הרב מוה"ר יהודא ליב במו"ה אפרים אשר אנשיל זצ"ל המבורגר שהי' אב"ד בק"ק ר"ד נקבר י"ד אדר ת"פ על מויארבערג והי' דיין כאן אמ"ד. Rabbi Judah Leb died, according to this, on 14 Adar, 1720. Isaac, son of R. Judah Leb, died in Amsterdam, 3rd Nisan, 1714. The entry referring to him reads: כמ"ר יצחק אייזק בן הרב מהור"ר יהודא ליב זצ"ל המבורגר שהי' מקדמת דנא אב"ד ראטערדם נפטר בליל ג' ניסן ונקבר ביום מחרתו ה' ניסן תע"ד על מויארבערג. Cp. also E. Italic, *Geschiedenis d. Isr. Gem. te Rotterdam* (1907), pp. 36-7.

*Rabbi Aryeh Leb b. Saul of Amsterdam.*Page 3 (*JQR.*, IX, p. 105).

The Beth-Hamidrash (London), MS. No. 24, contains Responsa and Talmudic novellae by R. Aryeh Leb, father of Rabbi Zevi Hirschel Lewin. Among his correspondents we find the names: Rabbi Herz Pintschow (pp. 2 a, 37 a, 38 a), R. Isaac Levi of Apta (p. 37 a), the Beth-Din of Venice (pp. 41 a-48 a), the communities of Briesen (זה אשר השבתי לבריסא, p. 49 a), of Strassburg in East Prussia, and Koziv in Poland (p. 23 a). R. Zevi Hirsch asks his father why at Habdalah Service at the conclusion of Sabbath the blessing of בורא מיני בשמים is said when smelling the scent-box filled with spice and cinnamon, while בורא עצי בשמים would be the proper form (p. 33 b, middle). The Responsum dealing with the question from the Beth-Din of Koziv (p. 23 a) mentioned above, quotes verbatim a document גביית ערות by that Beth-Din relating to the death of a certain Jacob Cohen, whose body was found torn to pieces and brought to Abraham Hājīm, the overseer of the Hēvrah-Kadisha (Holy-Society, i. e. Burial-Society) of Strassburg. The signatories to the document are:

נאם יקותיאל זלמן סג"ל עפשטיין
ונאם הק' יהושע פאלק שור מלבוב
ונאם הק' יהושע העשיל במהרר"ל מואלקו.

Jekutiel Zalman Epstein was for some time Dayan in Lemberg, and as this document is dated כ"ד מנחם ת"פ (24 Ab 488=1728), he probably went to Koziv for the purpose of presiding at the Beth-Din, as at that time he was acting as Dayan in Lemberg; cp. Buber, אנשי שם, p. 124. Important is also the Responsum to Venice. The community of Rovigo had lost their Rabbi, and a certain young scholar, engaged to the daughter of Rabbi Pacifico, a member of the Rabbinate of Venice, tried to usurp the position as Rabbi of Rovigo with the connivance of his prospective father-in-law, but to the displeasure of the greater part of the community of Rovigo itself. The Parnassim: Joseph ben Mose, Ezekiel Aaron Luzatto, Jeremiah Michael b. Samuel Solomon Concili address a letter to the Rabbinate of Venice,

which, in turn, forwards a copy of the same as supplement to their letter to Rabbi Aryeh Leb of Amsterdam. Both letters are copied *in toto*. The Venice Rabbis sign as follows:

פה וינציאה יע"א החותמי' היו' יום ה' לסדר ולפרט
 ותחי רוח יעקב אביהם ג' טבת לפ"ק (1744)
 (1) אני שלמה בכמר ברוך מונטאנייאנה זלה"ה
 (2) הצעיר שלמה זלמן במוה"ר מאיר זלה"ה מלבוב
 (3) נסים דוד בכמוהר"ר משה הכהן זלה"ה
 (4) הצעיר יעקב בלא"א עמנואל בליליאס זלה"ה
 הרב כמ"וה יעקב הי הלוי יצא חוץ לעיר
 ע"כ לא בא על החתום.

The same names, with addition of Isaac b. Asher Pacifico, Solomon b. Moses Halevi Minzi, and Solomon b. David Altaras, are to be found in another document of the Venice Beth-Din in MS. Beth-Hamidrash, No. 26, fol. 141 B. Omitted is there only Jacob Belilias (4). (Compare also approbations from Venice Rabbinate to *ס' סעודת מצוה*, Firenze, 1750, and *מסורת סיג לתורה*, Venice, 1791.) To conclude we reproduce the text and translation of a fragment of a most pathetic letter of Rabbi Aryeh Leb to some eminent Rabbi, possibly his father or his father-in-law, the Ḥaḥam Zevi. Where the letter was written is difficult, if not impossible, to ascertain: it seems likely that he wrote it even before he was Rabbi of Reisha (Rzezow). The fragment was found by me between the pages of Beth-Ham. MS. No. 26.

ע"א

..... יוסף אדוני לעת כי יבחן את לבב עבדו כי שלם הוא אם
 אלהיו ועמו כי מקירות לב חמה נובעים, אבי אבי! הושיעה נא ועזור
 ברחמך אך הפעם להיות בתומכי נפשי הנה נא ישבתי פה ימים רבים
 אישר אין לי בהם חפץ כי אנוכי יושב לבדי בלא תורה בלא חכמה בלא
 טובה בלא ברכה מעונה ביסורים של אהבה כי יש בהם בטול תורה
 וחפלה העבוד' כי אחפוש מעשי אישר עשיתי טרם בואי הנה וביטולי פה
 קצתי בחיי כי ירדה נפשי עשר מעלות מאשר היתה לפני ה' .
 בתורה הן בחכמה הן . .

ע"ב

ושוכן את דכא יהי' בעזרי יטהר רעיוני ויסייעני לעבדו באמת ובתמים
כאשר לבבי חפץ ושל' אדוני יגדל וימים על שניו יוסיף עוד יראה רב
שמחות וגיל בזרעו וזרע זרעו כולם ידעו את ה' ואת קדוש ישראל יעריצו
בעתירת תולעתך ארי' ליב.

Translation.

Recto.

. . . may you my master continue (to be kind to me) when you have proved the heart of your servant and found it sound and in harmony with God and His people. My words flow from the depths of my heart. Oh! Father, Father, do help and assist me in your kindness this time to uplift my soul. See, I have now lived here for a long time days in which I have no pleasure, for I live here alone, without Torah and wisdom, without happiness and blessing, full of (mental) sufferings caused by being obliged to neglect the study of the Torah, prayer and worship. When I look back upon the work I did before I came here and compare it with my idleness here, I am sick of life, for my soul has been dragged down ten degrees in comparison to what I was before—be it as far as Torah and wisdom

Verso.

May He, who dwells in Eternity, be my Help, purify my thoughts and assist me to serve Him in truth and piety according to the wishes of my heart. May Peace be with You, my Master, may your days be prolonged and may you yet see many joyful days, have pleasure from your children and grandchildren, they all shall 'know the Lord and praise the Holy One of Israel'. This is the prayer of your worm (= humble servant).

Aryeh Leb.

*Rabbi Zevi Hirsch in London.*To page 5 (*JQR.*, IX, p. 109).

The negotiations with R. Zevi Hirsch must have lasted some time before his arrival in London. Leb Norden, a learned man of great influence in the community, writes to the Rabbi's brother, R. Saul of Amsterdam, complaining why his brother refused to come in the previous year. 'Had he not pushed us away with both hands last year he would, by now, be peacefully settled here and would have saved me also a lot of trouble during this year. We are now awaiting your answer so as to send the Rabbinical letter (contract of appointment) and hasten his coming here.' This letter—which is copied in the MS. Beth-Hamidrash, London, No. 26, fol. 162 B, and the Hebrew text of which we print hereafter—reveals also the reasons for R. Zevi Hirsch's refusal to accept the London post. 'If the Ashkenazi Shoḥetim slaughter also for the use of the Sephardim they must observe the laws and customs of Sheḥita of both sides, whichever are the strictest,' said the Rabbi. R. Leb Norden argues against this point from the Talmudical standpoint. He was a sound Hebrew scholar, who, born in Amsterdam, came with his father Zalman to London, but still kept in touch with continental scholars. Jacob Emden on his visit to London became very friendly with him, and several letters of Norden and Responsa by Jacob Emden to him are printed in the latter's work *שאלת יעבץ*. In his autobiography Emden relates that Leb and his brother Reuben, the sons of Zalman Norden, dealt in gold and precious stones (*מנילת ספר*, p. 94), that Leb sent him goods for sale to Altona, and by the profits derived therefrom Emden was able to keep his family for some years until they became estranged (see *ibid.*, pp. 146, 164, 181). It is not unlikely that Leb Norden's friendship with Emden at the time induced him to further the appointment of a member of Ḥaḥam Zevi's family as Rabbi of the Ashkenazim in London. It appears that, owing to the Sheḥita dispute in the Sephardi community, which had lasted for some four or five years previous to R. Zevi Hirsch's arrival in London, many of the Sephardim preferred

to eat meat killed by Ashkenazi Shoḥetim. The Sheḥita dispute in question has been dealt with in my booklet 'Jacob Kimchi and Shalom Buzaglo', but for the easier understanding of Norden's letter I will only mention that R. Hājīm Albahali, a Sephardi Shoḥet, accused the other Shoḥetim of transgressing the rules of Bedikah (examination of inner parts of the animal, especially the lungs). He was supported by a scholar named Jacob Kimchi, who wrote a book *שאלה ותשובה*, in which he pleads Albahali's cause. Azulai in his lately published itinerary (see later) indicates that they had quite a large following in the Sephardi community. R. Zevi Hirsch was probably aware of the state of affairs among the Sephardim and stipulated that the Ashkenazi Shoḥetim, if they kill also for the Sephardi community, must observe their rules where these are stricter, and he did this in order to prevent further strife. Norden's letter to R. Saul of Amsterdam seems to have had effect, and R. Zevi Hirsch Lewin came to London. The Sheḥita dispute lasted for a little while longer, but died down eventually, R. Hirschel being prevented by his Parnassim to take any part in the matter. Azulai mentions it in his itinerary *מעגל טוב*, which was partly published in Livorno in 1789, and has lately been reprinted in more extensive form by the Mekize Nirdamim Society. He was in London in the year 1755, a year before R. Zevi Hirsch Lewin's arrival in London, and his notes throw light on the communal conditions of the Sephardim. Although he does not mention anything about the Ashkenazi community, I think the passage of sufficient interest for London Jewry, and give the translation of his notes after R. Leb Norden's letter.

Letter of R. Leb Norden, of London, to Chief Rabbi Saul b. Aryeh Leb of Amsterdam.

MS. Beth-Hamid. No. 26, fol. 162 b (middle).

העתק מכתב הרבני הקצין מו" ל"ב נורדון נר"ו מלונדון לאחי הג'
 אב"ד דק"ק אמשטרדם יע"א.
 הנוגע לדבר הרב י"ן אשר בחרנו לולי שרחה אותנו בשתי ידים
 ומיין לבוא שנה העברה כבר הי' במנוחה והי' מונע ממני שנה זו טרחה

מרובה עכשיו אנו מצפים על תשובת הרב הנאון יצ'ו כדי לשלח כתב הרבנות למהר ביאתו לכאן לטובה, ולהרב הנאון אב'ד אדו"מ מרא דאתריכם קצת קצת לכתוב שלא להטריחו ובאמת כבר הי' לי לכתוב ע"ז לפני שנה בכתבו שאם שוחטי' שוחטי' אשכנזים ג"כ לפני ספרדים צריכין ג'כ לקבל עליהם חומרות הספרדים, כי אין מאכילין את האדם דבר האסור לו, דוחק למה שאמרו ז"ל ונדון הצרו' והטהרות והטומאות שבין ב"ש וב"ה שלא נמנעו אלו מאלו מפני שהודיעו אלו לאלו. ויש לי עוד ע"ז תמיה' גדולה לבקש ממעב"ת להודיעני הטעם, כי כפי מה שראיתי נוהגין באמשטרדם שנים אין מספר שלא נמנעו אלו מאלו אשכנזי' וספרדי' זה מזה לאכול בביתם ועל סעודתם של נשואין וברית עיני ראו (וב"ש עניי אשכנזי' שמחזירי' על בית הספרדי' בכל יום) גם מהמקולין של אשכנזי' וספרדים, אם לא הי' מפני הפסד קופה של צדקה שלנו ושלחם הי' כל אחד הולך וקונה במקום שלבו חפץ ולא הי' אדם מוחה בידם מטעם ודיני איסור רק עכשיו מפני הפסד צדקה מוחין ומעכבין זה על זה. וראיה יותר חזקה מזו שהאשכנזים הם הם הקונים כל שנה בדבר קצוב מהספרדים הראשי' והרגלים וכל בני מעים (מ)הטבחים והכרם והשומן וכל מה שאינו נמכר במקולין שלהם (וכן הי' המנהג בזמני ואפשר עדיין עוד) כי האשכנזי' הם עיקר האוכלי' מדברי' אלו ואני בעצמי פעמי' אין מספר שלחה לי אמנו זל"ה לקנו' שומן לקוגל לש"ק אצל משה יאפ ואצל לאזי קאפ שלקחו כל הנ"ל מספרדי' ואענפי' סברי לי ששוחטי' ספרדי' אינם נוהגים בחומרות האשכנזים ולא אשכנזי' בחומרות הספרדי' ולא הי' שום רב או מו"צ שהי' לנו באמשטרדם פוצה פה ומצפצף בשום נדנד איסור על זה והי' גאוני וחסידי עליונים אבותינו

fol. 163 a

קדושי' אשר בארץ זל"ה מאן יחייב לן עפרייהו ורמינן בעייני' ¹ וא"א לומר או להעלות על לב שנעלם דבר זה מעיניהם מפני שהוא דבר פרסום לרבים נהג יותר מק" שנה כבר ואע"פי שיש באמת הרבה דברים מאד אסורים לנו ומותר' להם, וכן להיפוך יאריך סיפוריהם והכל גלוי לפני מעב"ת ובאמת שכבר תרצתי לעצמי זה ימים רבים שנלע"ד שאין דברים הללו דומין למה שאמרו ז"ל בנדון הצרות ושאר הדברים או חלב הכרם של בני רינים כי שם אתחזק איסורא אבל כאן לא אתחזק

בבא בתרא קע"א ע"א ¹

איסור, ומן הסתם אני אומר דלא איתרע שום דבר שיהי' אסור לזה ומותר לזה רק אינני סומך על דעתי כי לא שמשתי ת"ח כל צרכי ואמרו ז"ל כל הגס לבו בהוראה וכו' והחכם א" כי רבים וכו' ע"כ אני מתרחק מאד מזה, ומעב"ת יכול לישב את דעתו על נכון ואבקש שלא ימנע האהבה ממני.

תשובת אחי הנאון הנ"ל Follows.

H. J. D. Azulai's description of his journey to London in 1755 in טוב ed. Mekize Nirdamim (*proof*).

(5515 = 1755), *Ijjar* 12, Wednesday אומר פ' in the evening at sunset we arrived in the great town of London and I had trouble until the evening of Thursday to find lodgings in the house of a Sephardi, whose name is Si(gnor) Aaron Cohen. Although the place was very small (crammed), but, being a clean dwelling, honourable people, and as it had also been the abode of former messengers (from Palestine), I agreed to stay there. Concerning my mission great wonders happened to me. While I was still [on my way here] three of the leading men sent word to me that I should not come into this town as I would not achieve anything, especially as the messengers from Safed had forestalled me, and even they came twice and had to leave empty-handed. I, however, answered that it was my duty to go (to London), and I cannot absolve myself from the same. I rely upon the Lord that He will do what He finds best. And when I came to the leaders (of the congregation) they had left the town to enjoy the gardens (= for holidays) and there was hardly any one (of note) left. I took upon myself to wait patiently, for there is no better physician than 'Time', and far be it from me (= I took care not) to mention anything of my mission until I had acquired some friends and got information as to how I should approach these leaders. For, these mighty men, their hearts are double-faced, their thoughts are not in accordance with their appearance. And also among the Hāhamim (learned men) of the town I saw disunion, they speak with abuse of one another, scorch one another with the heat of their words,

and the one would like to swallow the other alive. It is a great shame (that this should be so) in the eyes of the congregants, and woe to eyes that have to look at such disgrace of the Torah and learned men. I looked at my letters of authority as messenger and found only one and no more, addressed to 'the Ḥaḥam'. I asked where the Rosh-Beth-Din or Dayan lived, and they answered and said: There is no such great man here, we have no Ḥaḥam. I said to myself, if that be so and I have no other letters to great and learned men with me, I might be injuring my cause more or less by delivering the one letter to either one or the other of the learned men. I shall keep it, and indeed it was a good thought given me by God, as this certain Ḥaḥam (namely Isaac Nieto) had made enemies of the Dayanim and the leaders of his congregation, and Praise be unto the Lord who has not forsaken me in his mercy and helped me to find favour in the eyes of a few friends. First of all will I mention (among them) *the learned Rabbi Isaac del Vali and Si(gnor) Pinehas Gomes Serra*. There was also the great scholar *Rabbi Jacob Kimḥi*, son of R. Samuel Kimḥi of Constantinople, and the learned R. Ḥajjim Albahali, and I made friends with them. They all said that, with regard to my mission, it would be necessary to call the 'great Mahamad', and it was usual to convene this meeting at the beginning of the winter. Already (the previous messenger) R. Massuad Bonan was obliged to wait here many months until the time of such meeting, 'and we do not know what to do, but if you will listen to our advice, go and see Si(gnor) Joseph Salvador, one of the Parnassim, who has gone to one of the watering-places, who is of a clear mind (a clever man), and what he says that is generally done, for he is a powerful man. When this Joseph returns home, if you will, with God's Help, find favour in his eyes, he will not rest until he carries your matter through successfully. When Si(gnor) Joseph Salvador came home I went to see him and noticed that he was of a clear mind and pure without any bad (qualities), and I pleaded my cause and the object of my mission in nice language and with sound arguments.

He answered me, 'You know that in this land nothing is done except with the consent of the majority, it might, however, be to your advantage if you were to see Signor Franco and Signor Mendez, they may be of assistance to you,' and then I left him. This man is very rich and influential; he arranged a meeting of the Elders, which I attended. The other Parnassim wanted to get rid of me without giving anything, but he waived to me with his hand, as if to say that I should not worry, he being on my side. I left the meeting, but he persisted and did not budge until he succeeded to arrange that an extraordinary general meeting should be called, and the end of it was, that everything went well and was decided favourably at the general meeting. Afterwards, through the intervention of Signor Francos, it was, with the Help of God, decided that Signor Pinehas Gomes-Serra and Signor Joseph b. Abraham Francos should make a collection among the Yehidim. After this was done came a letter from the English Ambassador at Constantinople recommending me to Signor Francos. Had this letter arrived earlier it would have made a great difference to my cause, but, even so, it was a great honour to me in the eyes of the Yehidim (members). Among the friends I made in London I will mention the Hazan David Castro, who has a great influence in the community, may God pay him for his kindness to me. He took me in London to a great building called the Tower (טורי). There I saw lions and an eagle 100 years old, an Indian cat as big as a dog, another cat which was some cross-breed of a strange animal, also various other beasts which had to be chained down by iron chains. I also saw there a hall which must have been, perhaps, 50 yards long or more, divided into different compartments hung all round with fire-tubes (rifles) and all sorts of weapons beautifully arranged as if it were one wall and doors opening out of it. Similarly there were on all the sides (of the hall) and even from the roof, hanging down thousands and tens of thousands of different weapons beautifully arranged according to class, art, and and height. I saw, further, statues of all the English kings made of iron, on iron horses, and looking at them they seem to you

really alive. There are also armours in the greatest variety, all in proper order, various kinds of guns and cannons captured from their enemies during the whole time that England exists. Vessels of all kinds and shapes, some transparent, some especially high (are also there), and in one room there is a small partition of iron bars inside of which we were shown the Royal crown and jewels sparkling in different magnificent colours, the golden cup out of which the King is anointed, and other royal treasures of precious stones. All these has seen my eye, wondering and joyful in the thought that if He gives such rewards to non-Jews, how much greater will be the glory of His People in times to come, when the remnants of Israel will see the Messiah of God shining forth and giving light like the light of the Sun, crowned with the most holy seven crowns. In London I preached on Sabbath . . .

'*Tammuz* 28. Monday of the week 'Debarim' (first portion of Deuteronomy) we left London and arrived at Dover, a non-Jewish town (= where no Jews live), on Tuesday after midnight.

'*Tammuz* 29. Tuesday of 'Debarim' we left Dover by boat and arrived at Calais, a non-Jewish town in the kingdom of France, on the same day towards evening and I remained there, at Calais, for several days until the post-chaise left for Paris.' . . .

To *JQR.*, IX, 1 and 2, p. 117, note 11.

Azulai in *מעגל טוב*, ed. Livorno, p. 16 b, relates that he told the people of Amsterdam :

וכי תאמרו שהזמן בוגר עליכם למה לקומידיאם ותענוגים לא תקמצו

'If you will say that the times are hard, why do you not say so where comedies and pleasures are in question.'

Responsa of Rabbi Zevi Hirsch Lewin.

The Beth-Hamidrash in London has three manuscripts containing Responsa and Talmudic Notes by R. Zevi Hirsch. Owing to circumstances over which I had no control I was not able to go through these volumes before the first part of this work was printed. The manuscripts are Nos. 24, 25, and 26 according

to the numbers in Neubauer's *Catalogue of the Hebrew Manuscripts in the Jews' College, London, Oxford, 1886.*

MS. No. 24 contains for the most part Responsa and Notes by R. Zevi Hirsch's father, R. Aryeh Leb of Amsterdam. On the fly-leaf is the title :

ספר שאלות ותשובות וחידושי הלכות

The first note by R. Zevi Hirsch is on p. 22 b, middle,

אמר ה"ק צבי הירש שועל בן ארי' האי גאון ז"ל הנ"ל.

Page 33 b. The question mentioned above in additional notes to R. Aryeh Leb relating to the blessing of בשמים :

גם בקשתי מעם אאמ"ו נ"יו ידיעני מפני מה נהגו העולם לברך על צימרהונט ונענליך בורא מיני בשמים ובכל האחרונים ז"ל לא מצאתי חילק ואף שבטור בשם מוה"ר מרוטנבורג על קנה וקנמון בורא עצי בשמים הרי הראש חולק עליו

(Follows R. Aryeh Leb's answer.)

Page 49 a and b have two responsa by R. Z. H. addressed to ה"ק צבי הירש שלו" and signed לאה"ו

Page 64 a. Responsum to Rabbi Reuben of Warburg.

זה אשר השבתי על תשובת הרב המאוה"ג מו"ה ראובן זצ"ל אב"ד דק"ק ווערבורג וזה לשון הרב ז"ל להרב המפורסם מוה"ר משה ראפע זצ"ל לפפ"ד

The Responsum is signed on page 66 a :

הלברשטאט כ"ז ניסן תק"כ לפ"ק ה"ק צ"ה . ועיין מה שכתבתי בגליון ש"ע א"ה בשם מהח"ש ז"ל בס"ת שכתב רחבה במקום רחבו.

Page 77 a. Responsa by R. Solomon Hirschel (son of R. Z. H.)

העתקות" תשובות הרב ד"ק האכבורג ד"ו אלול תקס"ד לפ"ק.

Page 78 a : תשובות הרב ה"ג דק' אלטונא, ד"ר אלול תקס"ד : signed on p. 78 b.

הטרוד מאד מאד ה"ק שלמה ב"ה צבי הירש זצ"ל חופ"ק לונדאן והמדינה.

Page 91 a. Signature of R. Z. Hirsch :

ה"ק צבי הירש הלברשטט ר"ח אלול תק"כז לפ"ק.

MS. No. 25 contains mostly short notes by R. Zevi Hirsch, mostly marked לזכרון לעיין, in some places לזכרון. There are also several loose slips in the book marked similarly. One of these reads: לפי שהשכחה גוברת והזמן עוברת, 'Forgetfulness increases as the time passes'. There are only three Responsa in this manuscript, one to R. Mordecai Banet of Nikolsburg, the other to his uncle R. Jacob Emden, and one to R. Juda Leb of Posen, Rabbi in Wusterhausen.

Page 85 a.

זה שהשבתי להרבני מו"ה באנעט מניקלשבורג על איזה ספיקות שנסתפקו לו אחת כה ואחת כה.

Page 125 a.

שאלה זו נשאלה לעילא מן מ"ד הרב הגאון כמ"ה יעבין נ"רו מחכם א" ממדינת פולין ה"ה התורני מה"ו יוזפא נר"ו מווראניק יע"א.

Page 127 a.

הא לך תשובת א"ד הרבה"ג . . .
וצויתי להעתיקו יען יש לי דברים בנו.

Page 134 a.

שאלה מק"ק וואושטרהויון מה"ה מ"ו יהודא ליב במו"ה הירש מפוזנן.
[בענין ס"ת שנקרעה מראש הדף].

The most important is MS. No. 26, consisting of 164 pages. There are likewise notes marked לזכרון, but the chief contents are Responsa by R. Zevi Hirsch.

Page 5 a.

כל ה"נל כתבתי בלי עיון בשום מפרש שוב ראיתי הרבה מדברינו כלולים בדברי הרב בעל משנה למלך ז"ל בפ' יא . . .

Page 9 a (middle) apparently written in Berlin.

זה מעבר ז" שנים בא לכאן נער הי' שמו פישל במו"ה מאיר מעיר . . .
דריוזין (?) הסמוך ונראה לכאן . . .

mentions that at one time in the year 1741 he lost all his possessions by fire while living in Zlatova. ובהיות אשר מאז שנת תק"א העבר יצאתי נקי מכל אשר הי' לפני בשריפת ק"ק ולאטווי ולא נשאר לי מכל מחמדי עין אפילו עלה א" ובקושי בע"ה הכינותי בית אולפני מאז ועד עתה בספרי ש"ס ורמב"ם וטורים ופוסקים אחרונים וזולת אלו אין אתי ספרי שו"ת ולכה דודי נצא השדה בוא ואראך העוסקים בתורה מתוך דוחק ספרים, והי' לבי מחשש לעשות תקנה על תנא . . .

Page 18 a. Responsum to Rabbi Abraham Levi of (Briesen?), with reference to a dispute this Rabbi had with his congregation on account of a divorce case which the Rabbi had declared illegal, but the woman's friends had obtained a decision from the Rabbi of Hanover allowing her to re-marry. R. Zevi refers to letters written in this matter by his brother R. Saul of Amsterdam and by the Rabbi of Cassel. The Responsum was obviously written in Berlin when R. Zevi was already old and feeble. The letter begins: אחרי דרך מבוא השלום האמנם נלאתי נשוא משא העם: הזה אשר לרגלי הש"י עיר ועיר מדינה ומדינה היו עלי למורח כי אשא ואסבול לארץ מרחק גם כי ידי כבדו ואור עיני גם הם אינם כמאז השם יתעלה ישלח דברו וירפאני מ"מ לגדל אהבתו ואהבת תורתו לא יכולתי למנוע גם למען האמת והשלום עמודי העולם והנה כתבתי היום באורך לשם, האמנם מעכ"ת צריך לפתוח בשלום. With real tact R. Zevi admonishes R. Abraham to take the first step in restoring order and peace in his congregation, while in a letter which he sends to the congregation (pages 18 b-19 a) he warns the leaders to take care not to hurt the honour of their Rabbi and thus bring disgrace to the Representative of the Torah in their midst. He says: ועתה הנה עליכם מוטל הדבר לחוס לכבוד התורה לראות ולעשות: כל מה דאפשר לחזק השלום . . .

Page 20 b. Responsum concerning a young widow (מינקת) in which is mentioned a decision by R. Joseph Steinhart of Fürth. He signs: נאום הטרוד ומוטרד מכל צד מצפה לרחמי שמים החותם פה ק"ק ברלין ב" ט"ו מנחם תקד"ם לפ"ק.

Page 35 a. Questions, unfortunately with neither signature nor date, by a Sephardi Rabbi, probably the Ḥaḥam in London, who excuses himself not having answered R. Zevi Hirsch's letter at once, but he had sent an acknowledgment personally through his brother Jacob. Follows a Responsum, closing with the words: והרני מניה הדבר על שני מאורות הגדולים הרבנים דכאן והפוסק השלישי הוא מר ניהו רבא ואתם העמידו הדבר על בוריו והודיעוני נא.

Page 40 a (middle) we find notes to Azulai's שם הגדולים:

דף נ"ה ע"ב: (הערת המעתיק: אין לפני כעת כי אם הדפוס השני לוורנו תקנ"ה ושם תמצא ההערה הבאה להלן בדף נ"א ע"ב. סימני ההוצאה השניה ארשום בשני חצאי עגולות). רבינו מאיר הלוי חיבר פרטיו שנת ד' אלפים תתקס"ה ובסופו כתב שהי' תלמיד ר"י אור זרוע, וזה א"א שהרי לפי הפשט הנ"ל כבר בשנת תתקס"ה הי' אדם גדול וזה הוא בתוך זמנו של ראב"ן ז"ל, ענין זה שכתב בסי' ט"ז, ור"י אור זרוע ידוע שהי' תלמיד הראב"י ז"ל נכדו של הראב"ן והעתיק ממנו כמה דבריו בספרו וכתב עליו מורי הגאון וגם תלמיד רבינו שמחה בר שמואל או תלמיד חבר, ורש"ל כתב בתשובותיו שראב"י ורבינו שמחה ידוע שהיו אחר אלף החמשי והוא עצמו כתב שאור זרוע הי' בתחלת אלף הששי עיין סי' י"ט דף ל"ו (ה"ש דף ל"ד ע"א).

דף ב" (ה"ש דף א" ע"ב) באות סי' ה' הראב"ד בעל השגות הי' תלמיד רבינו משה הדרשן וכו', ותמה אני דלקמן דף ע" (ה"ש ע"ז ע"א) אות ה' כתב דרש"י הי' תלמיד רבינו יעקב בר יקר שהי' תלמיד רגמ"ה ובאות נון סי' ג' דף ס"ו (ה"ש דף ס"א ע"ב) כתב שהערוך

40 b

ורבינו גמ"ה היו תלמידי רבינו משה הדרשן והראב"ד מביא כמה דברי רש"י ומבואר בהשגות שעשה בעל המאור והוא עצמו כתב בדף פ"א שהרב אב"ד שהי' תלמידו של רבינו משה הדרשן מביא רש"י שכבר נתפשטו חיבוריו בימיו וזה רחוק מאוד גם ידוע שרבינו זרחי' ז"ל בס' המאור מביא דברי ר"ת, וא"כ כבר ע"כ בימי הראב"ד נתפשטו חיבוריו וגם שם בדף פ" ע"ב (דף ע"ז ע"ב) כתב שא" קדוש הוכיח בראיות שרש"י הי' קרוב למאה שנים קודם הרמ"בם וא"כ איך אפשר שהראב"ד הי' חברו של רבו דרבי', דרש"י עשה השגות על הרמב"ם, זה לענ"ד

ערבוב דברים. עוד כתב באות מם בענין רבו של הראש אם הוא מהר"ם בר ברוך והשיג על תשו' זרע אברהם כבר השגתי עליו זה ימים רבים ועוד נוסף על הראיות בתשו' הראש כלל ל"ב סי' י"א כתב חירון מורי הר"ם ז"ל וכו' עד וראיתי מרנא ורבנא מאיר ז"ל דן כפירוש הזה והרואה בתשובות מיימוניות להלכות אשה יראה שכל מה שהביא שם הם מדברי הר"ם בר ברוך ז"ל עיי"ש סי' כ"ה.

ושם סי' ל" תשובת מורי רבינו למהר"ר אשר ממגרש ענוהיים שהוא התפיסה שישב בה הגאון יסוד עולם ז"ל וידוע שהוא מהר"ם מרוטנבורג שנתפס שם וקבור בוורמייזא וחתום שם מהר"ם ב"ב ואע"פ שאפשר שאין זה ה"ר אשר הרא"ש ז"ל שכבר הי' עוד גדול א" בימים ההם ושמו ר" אשר בר משה כמ"ש בתושב" מהר"ם בר ברוך קובץ קטן סי' ז" וח" ונראה שהוא הוא ג"כ שם בסי' ק"ג וכן נראה באמת שגם זו דהנהות מיימני הוא על זה הרב מן הכבוד שחלק לו שנראה שאינו תלמידו ממש, מ' מוכרח דמהר"ם מרוטנבורג הוא מהר"ם בר ברוך וכן מבואר עוד בתשבץ קטן שחיבר תלמידו של מהר"ם מרוטנבורג.

Page 42 a. Responsum to a question of שעטנז, dated London, Sunday, 26th of Heshvan, 5524 = 1763.

Ibid. Introduction to his notes, in which he explains that it is necessary for a Rabbi to make notes on every question that occurs to him in daily life, so that the Ame-Ha'arez should not consider him ignorant on account of his hesitating with a reply.

Page 57 b. Letter to R. Judah Leb, Rabbi of Halberstadt, concerning a case of מינקת חבירו.

Page 61 b. Question by the Rabbi of Schwerin, signed on p. 64 a, as follows: הכותב והחותם פה ק"ק שווערין ח'י טבת שנת גמולי מחלב עתיקי משרים תקמ"ג לפ"ק צבי הירש מירלס מלונדון. . (Rabbi Zevi Hirsch Mirels of London, who was Rabbi of Schwerin from 1770 till 1790, was the son of R. Aaron Mirels of London, of whom, however, we have no trace in London records so far. R. Aaron was son of R. Meshulam Zalman Mirels of Hamburg, father-in-law of Haham Zevi (cp. Year-Book, האשכול, vol. 2, p. 211). Rabbi Zevi Hirsch Lewin calls him 'my cousin' (ש"ב) on p. 64 b of our manuscript (cp. *JE.*, vol. VIII, p. 608; Brann in *Guttmann-*

Festschrift, p. 246, and the literature given there). Mirels was before his election in Schwerin Rabbi in Wreschen (Posen. Cp. *Roest Catalogue*, pp. 25, 139, 203, 335).

Page 65 b. Letter on the same question from Elia of Posen, Rabbi in Lanzburg (Landsberg), who addresses R. Zevi Hirsch as his teacher.

Page 67 b. Responsum of R. Z. H. to the above letters dated Berlin, 14th of Shevat of the same year. Page 67 has also a short index for pp. 1-42.

Page 68 a. To a certain R. Israel, in which he complains that owing to overwork and failing health he had no time to go into the question put before him as deeply as he should have liked to: וטרדות הזמן ויסורי הגוף ל"ע לא יתנוני לעיין כראוי.

Page 70 b. Answer to a question by one of his sons (probably R. Saul): שוב דן לפני בני הנאון המופלג נ"י.

Page 71 b deals with a case of marriage in London.

Page 73 a likewise discusses a similar question which came before him while officiating in London.

Page 75 a. Question by R. Juda Leb Eger (of ^{HALVIASTADT} Braunschweig) to R. Z. H. in Berlin to which the latter's response on p. 76 a.

Page 77 b. Answer to his son.

Pages 78-82. Notes on various subjects.

Page 83 a. Question addressed to him in London concerning the custom of baking tarts and omelettes on Passover in pewter dishes, which were in use all the year round. Date 1758.

שאלה במדינה זו פסח תקח"י לפ"ק נוהגי' שאופין הטארטין ופשטידן בקערות של בדיל שאוכלי' בה' כל ימות השנה דהיינו שעושין הטארטין ופשטידן בתוך הקערות ומכניסין אותן לתנור של האופה ושם נאפה בתוך הקערה וידוע הדבר שמישחין מעט שמן או שומן בתוך הכלי שאופין הפשטיד או טארט לתוך הכלי וסכין בו כל הכלי קודם שמישחין הבצק לתוכו ובאשר שקערות הללו של בדיל ואי אפשר ללבנן אם יש

היתר להגעילן ברותחין ולהשתמש בפסח כדין מחבת המבואר בסי' תנ"א
סעיף י"א ברמ"א

Page 84 a cited a Responsum by his brother-in-law Rabbi Saul Halevy of the Hague—and page 84 b, a Responsum by his brother R. Saul of Amsterdam (מה שהשיב ע"ז גיסי הגאון אב"ד) (דק"ק האג; מה שהשיב לי ע"ז אחי הגאון אב"ד דק"ק אמשטרדם נ"י).

Page 85 a. Another letter by R. Saul Halevy followed by Talmudic notes until page 92, middle, where we find a decision about raisin-wine, whether it can be used like ordinary wine and the same blessing said before partaking of it.

בדין היין צימוקים עם היות שכבר בטלה דעתי ברוב הנראה לעינים
כי כבודך כ' בפשיטות להניח הדבר על מנהגו ושאין לפקפק עליו וכשנראה
שגם זקננו הגאון ז"ל לא הורה לאחרני וגם גיסינו האב"ד דק"ק יע"א
נתנבא בסגנון אחד ולא עוד אלא שמעיד בו את אבינו הגאון ז"ל שכבר
הי' לו כ"פ בהאי ענינא ואעפ"כ עמד בהוראה גמורה לברך עליו בפ"הג.
ומי יבא אחרי המלך את אשר כבר עשהו.

Page 93 a. Rabbi Hirschel declares that if a Sefer Torah falls down only the one who dropped it has to fast, but not all onlookers, as is the custom in many congregations; he had found no foundation for this custom in the codes.

מה שנהגו העולם להתענות כשרואי' ספר תורה שנפלה נראה לי
שאין סמך כלל למנהג זה ועד כאן לא מצאנו סמך קצת כי אם לאותו
שנפלה מידו וכמ"ש במ"א סי' מ"ד ס"ק ה"

Pages 117 b–125 a. Letters from and to his brother R. Saul and his brother-in-law, the Rabbi of the Hague.

Page 128. Letter from Rabbi Meir Posner of S. (a congregation in Poland).

הנה במדינת הסמוך לגבולי נקראת ארץ ווערדער והרבה אנשי קהלות
הסמוכות כמו זלאטווי פרדאן והדומים . . . (בענין גבינה הנעשה שם) . . .
דברי א"נ ומחו"ה ד"ש ה"ק מאיר פוזנר החונה בק"ק ש . . .

Page 140 a. Letter from a Rabbi Samson b. Zelke in Br . . . concerning a certain Henle Peiersdorf of London, who bought

מעשה ב"ר הגדול דק"ק וויניציא

מעידים אנחנו הבאים על החתום רבני הישיבה הכללית שבויניציאה יע"א כי בעיר הזאת הנה עם בני ישראל אוכלי' הדג הנקרא רומבל בלע"ז הנראים בגבן כמו ראשי מסמורת נטועים במקומות מפוזרים מפני המסורת שיש בידם מאבותיהם שהדג הזה בעלותו מן הים מנשר הקשקשים שלו במים ואין איש מערער בזה ולראיית האמת חתמנו שמנו פה וויניציאה היום יום ויו ט"ו סיון בסדר ובשנת זכרנו את הדגה אשר נאכל לפ"ק.

יצחק ב"כ אשר פאציפיקו שלמה ב"כ ברוך מונטאניאנה

שלמה ב"כ משה הלוי מינץ יעקב חי ב"כ יהושע ברוך הלוי

אמת ויציב שהדג רומבל הנ"ל אוכלים אותו פה מח"ק (?) וכל גלילותיה והיותו מוחזק בידים מאבות אבותיהם רבותינו הקדושים לדג טהור בלי שום פקפוק כלל.

שלמה זלמן במ"ה מאיר זל"ה מלבוב שלמה בכ"ה מוהרר דוד אלטאראם נסים דוד בכמ"הוהרר משה הכהן ז"ל.

Interesting is that, following upon this decision of their Rabbi that 'turbot' is a kasher fish, some members of the congregation applied his permission not only to turbot but also to eels.

Page 156 a. We find a letter from R. Juda of Halberstadt asking R. Zevi Hirsch whether it was really true that he allowed the eating of eels, and if so would he kindly let him know upon what paragraph of the codes he had based this decision. The Rabbi naturally explained that turbots are not eels. R. Juda writes :

הגם שאור עיני אין אתי כראוי באתי הנה לגשת לדרוש בשלומי הטוב עבור הדבר אשר בא לעירנו פה ותוכן הדבר הקצין ר" דוד איגר מי"שם שלח לחתנו הקצין התורני מ"ו רפאל נ"י דג א" אשר היו נוהגים בו איסור בכל תפוצות ישראל עד הנה שכתב לחתנו ר" רפאל שרפ"מ הרמה היתר אותו דג והכריז לרבים שהוא מותר (הדג הנקרא אאלין) ואחלה שיכתוב תשובתו הרמה אלי ויעיין הדבר הזה כראוי להודיע כח דהתירא אשר סמך עליו ואז אעשה נזר ועטרה לראשי כ"ד א"נ המוכן לשרתו לטובתו תמיד הק" יהודה מהאלברשטאט.

The response to this letter extends from 156 b to 158 b, on which page we find a question by one of the Rabbi's sons and

answer to the same (referring to pickled nuts). This is followed on p. 162 b by the letter of R. Leb Norden to Rabbi Saul, printed above, pp. 279–81, which is the end of the manuscript.

To the list of works by R. Z. H. are to be added: Notes to Mishna, edited by Rabbi Michelsohn, under the title **צבא רב** (Piotrkow, 1907), and in the book **קול יהודא** by Juda of Glogau (Fürth, 1775), a pupil of R. Zevi Hirschel, several expositions on Talmudic passages are printed (pp. 19 a, 40 a, 42 a).

Prof. M. Brann has called my attention to an approbation by R. Z. H. to the book **יסוד עולם** by Isaac Israeli, Berlin, 1777 (cp. p. 57). According to Prof. Simonsen R. Zevi Hirsch had a fourth daughter Zipporah Frade, married to Meyer Israel Meyer of the family 'Hausen' in Altona. Three daughters of this couple were married in Copenhagen, one of these, Dina Henriques, was Prof. Simonsen's great-aunt (cp. *Tidsskrift f. Jødisk Lit. og Hist.*, I, p. 181). The conundrum as to how R. Zevi Hirsch went to Piemonte (cp. p. 45 [380]) is solved by the same scholar, who referred me to the book **צבא רב** already mentioned, where it is made clear that we have to read Pymont **פירמונט**, a small watering-place in Germany.

Page 76 (*JQR.*, X, 447), note 65. Mr. S. Seeligmann of Amsterdam called my attention to Abraham Nancy's book **עלה תרופה**, London, 1785, 8vo., mentioned by Schechter, *Studies in Judaism*, I, p. 377, and by me in *JHSE.*, trans., VII, p. 288. Abr. Nancy also wrote a dedication-poem 'Lofzang' (Cat. Almanzi, No. 4552) while he was (for sixteen years) tutor in the house of Tobias Boas at the Hague, who was a great admirer of the Bal-Shem Samuel Falk. He is called there Abraham Solomon *Nazig* (cp. S. Seeligmann, *Het geestelijk leven . . . te 's Gravenhage*, 1914, p. 12; also Steinschneider, 'Jüdische Ärzte' in *ZfHB.*, vol. XVII, pp. 68–98; Zeitlin, *Bibl. Hebr. Post-Mendelssohniana*, s.v. Nantisch, p. 249).

Page 80 (451). The house 'Zum Grünen Schild' occurs already in a list of houses of the years 1535–40 in J. Kracauer's *Geschichte der Judengasse Frankfurt a/M.*, p. 453 (S. Seeligm.).

Page 82 (453). About Isaac Sinzheim, his son Zalman and the family generally cp. now Wachstein, *Inscripfen des alten Judenfriedhofes in Wien* (1917), vol. II, pp. 397-400. (S. Seeligm.).

Page 135 (506). The full title of Peppercorn's book is: *The Laws of the Hebrews relating to the Poor and Strangers, written in Hebrew in the 12th Century by the celebrated Rabbi M. Maimonides*, London, Pelham Richardsons, 23 Cornhill, 1838. My copy formerly belonged to a Mr. William Simpson and has his book-plate. He may be identical with the Mr. Simpson mentioned on this page.

Page 148 (519). About Solomon Bennett cp. now S. Kirchstein's *Jüdische Graphiker*, Berlin, 1918, pp. 15-27; also Zeitlin, *Bibl. Hebr. Post-Mendels.*, pp. 26-7; *Gräber, בית אוצר הספרות*, I, p. 28

CORRECTIONS.

- Page 7 (*JQR.*, N. S., IX, p. 109) note 1, lines 6 and 7 should read: 'in an approbation to the book מבין חרות (Amsterdam, 1765); see *Benjacoh Ozar Hasefarim*, p. 288, no. 339).
- Page 40 (p. 375), note 39: *for* תולדות יש"ר *read* תולדות שי"ר.
- Page 46 (p. 381), note 46, line 7: *for* Dr. L. Lowe, &c., *read* B. Goldenberg in *Kerem Chemed*, vol. IV, p. 239, footnote.
- Page 48 (p. 383), line 4 from top: *for* nephew of *read* related to.
- Ibid.*, line 6: *for* 'whose wife was R. Fränkel's sister' *read* 'whose daughter was Rabbi Fränkel's first wife'.
- Ibid.*, note 49: *for* 1763 *read* 1762 (Prof. G. Deutsch).
- Page 56 (p. 391), line 16: *for* 6 Elul *read* 10 Elul (Prof. M. Brann).
- Ibid.*, last line: *for* Simon b. Nate Walisch *read* Wolcz (M. Br.).
- Page 57 (p. 392), line 6: *for* מחברת מנחם *read* מחברת תופת ועדן (M. Br.).
- Ibid.*, line 12: *for* 1796 *read* 1795.
- Ibid.*, lines 13 and 14 to be deleted, the approbation being already mentioned on p. 56.
- Ibid.*, line 16: *for* שונה *read* שונה.
- Ibid.*, line 21: *for* R. Levi *read* R. Zevi.
- Page 58 (p. 393), note 56: *for* 1825 *read* 1815.
- Page 61 (p. 396), line 6: *for* הקרה ר" *read* הקרה ר."
- Page 81 (X, p. 452), note 72, last line: *for* A. Röschen *read* A Röschen.
- Page 82 (X, p. 453), note 76, last line but one: *for* ונקברת *read* ונקברת
- Ibid.*: *for* ונקראת *read* ונקראת.
- Page 120 (p. 491), note 131, line 3: *for* הכמום *read* הכמום.
- Page 156 (X, 527), note 141: *for* p. 51 *read* p. 54.
- Page 162 (XI, 26), note 147: *for* (144) *read* (143).
- Page 194 (p. 58), line 11: *for* הנט *read* הנט.
- Page 216 (p. 80), note 169^d: *for* Stuart *read* steward.

RECENT HELLENISTIC LITERATURE¹

PHILO is largely responsible for the confusion of thought that has, since the beginning of the Civil Era, held sway over the minds of theologians. It was he who first attempted to identify the God of Israel with the Hellenistic First Principle. It is true, of course, that the two conceptions are alike, in that each was regarded respectively by the Jews and the Greeks as the power which explained the world. Yet beyond that the two ideas had little in common. Never could any philosopher have said of the first cause what Isaiah said of God, 'His Glory is the fullness of the earth.'^{1a} Nor could one logically impute to the abstraction any of the thirteen attributes of the Deity which were revealed to Moses in Horeb.² In order to identify the God of the Hebrews with the philosophic conception, Philo introduces us to various intermediaries who are intended to unite God to, but who really separate Him from the world. No Jewish thinker uninfluenced by a foreign culture could have entertained such views as Philo gives expression to in the following paragraph, in which he deals with the law relating to the return of a pledge of a garment. 'Is it not natural, if not to reproach, at least to suggest to those who fancy that the lawgiver displays such earnestness about a garment, "What are you saying, my good man? Does the Creator and the Ruler of the Universe call himself merciful with respect to

¹ *The Platonism of Philo Judaeus.* By THOMAS H. BILLINGS, Chicago : THE UNIVERSITY OF CHICAGO PRESS, 1919. pp. viii + 105.

Philo's Contribution to Religion. By H. A. A. KENNEDY, D.D., D.Sc. London : HODDER & STOUGHTON, 1919. pp. x + 245.

Hellenism. By NORMAN BENTWICH. Philadelphia : THE JEWISH PUBLICATION SOCIETY OF AMERICA, 1919. pp. 386.

^{1a} Isa. 6. 3.

² Exod. 34. 7.

such a trifle as the failure of a lender to restore a garment to a borrower?"³ Such words spoken of the first cause are comprehensible. But applied to the God of Israel they are unintelligible. It is precisely with regard to such trifles that He shows pity and love for men.

Professor Billings (p. 14) seeks to acquit Philo of these charges by showing that these contradictions are inherent in every religious system. 'For every religious man', he says, 'the ultimate reality must be more than a mere, dead logical principle. Plato tends, under the influence of religious emotions, to make the Ideas into active powers.' 'The second inconsistency, that between the transcendence and the immanence of God, to use a modern expression, is an inconsistency which no system can escape which holds to the doctrine of an unchanging reality behind the world of sense. Exactly the same difficulty presents itself in connection with Plato's theory of ideas. The ideas are at once transcendent and immanent.'

Perhaps even more important for a proper appreciation of Philo is Professor Billings's endeavour to show that while very often Philo adopts the vocabulary of different schools, his conceptions are essentially Platonic. Thus *Logos* is a Stoic term, derived, as the author shows, from Aristotle (p. 31). But the Stoics, who were monists, conceived the *Logos* as material. They also looked upon it as the Supreme Being. In these aspects, the author maintains, their conception differed from Plato's Idea of the Good and from Philo's *Logos*. It appears, therefore, that in Philo's *Logos* we have an amalgam of a Stoic term and a purely Platonic conception.

The book is well supplied with copious notes. The first chapter gives an interesting sketch of the history of the interpretation of Philo. The concluding chapter shows how Philo was influenced by Plato's very style. The treatise, by tracing the various strands that appear in Philonic philosophy to these sources, helps to clarify many an obscure passage in the works of the great Jewish Philosopher.

³ De Somn. I. 16.

Professor Billings's work is not only scholarly in content, but it also has the outward form of a work meant for serious students. Long Greek passages are untranslated; little attention is given to form or style. This can hardly be said of Professor Kennedy's *Philo's Contribution to Religion*. It is clear that the author intended it to be a popular book. The quotations from the New Testament are well chosen and are freely translated. The type is larger than is usual in a scientific work, and the whole appearance is that of a 'best seller'. Its literary character will, however, hardly detract from the importance of the work for all students of Philo.

The author takes several pages of his Introduction to explain the purpose of the book and to clarify the arrangement of the chapters. This necessity would tend to indicate that the work is fragmentary, and not completely developed. By constant comparisons between the words of Philo and those of the New Testament, the author seeks to throw light on both. The real tendency of his studies is to show the extent to which the doctrines that were prevalent at the beginning of the Christian Era were similar. Though Philo and Paul had no personal connexion, yet living at the same time, both coming under the influence of the Hebraic and Hellenistic cultures, they naturally had much in common.

Professor Kennedy shows how much these two religious thinkers were alike in their conceptions of Faith, of the possibility of a mystic union with the Divine, in their sense of human frailty and wickedness, and in their negation of fleshly lusts. But he might have gone even further. Many of these doctrines are found in Rabbinic literature itself. Alexander is represented in a famous passage as having asked the Jewish Sages,⁴ 'What shall a man do that he may live?' 'Let him cause himself to die', they answered, in words which might have come from Philo or from the Apostle. Dr. Schechter in his *Aspects of Rabbinic Theology*,⁵ gives several examples of the manner in which the Rabbis looked to God for salvation from sin. A prayer like

⁴ Tamid 32 a.

⁵ Chapter XVI.

'May it be Thy will that we shall not sin'⁶ could only come from one who believed with Philo that no 'soul ever succeeded in putting out of sight and annihilating evil save that to which God was revealed, which he deemed worthy of his ineffable mysteries'.⁷

In this field there is still a great opportunity for research. To what extent are these new ideas due to Hellenism, and how far are they merely coincident with it? The belief in immortality, the doctrine that the flesh is bad, may be based on Plato's antithesis between matter and spirit, but there were probably other contributing causes. The book should serve as a stimulus to search these out and to discover why in some cases Judaism discarded its own conceptions once they were accepted by its rival and why in other cases it continued to cling to them.

The author does well to call attention to the apparent inconsistency between Philo's reverence for the text of the Septuagint, which he believed to be inspired, and his laxity in changing it to suit his purpose. Yet that is more of an apparent than a real inconsistency. We must never forget how different were the standards of literary veracity twenty centuries ago from those in vogue now. Just as the authors of the 'Wisdom of Solomon' or of the Sibylline works felt no compunction in attributing their productions to others, in spite of the religious fervour with which these men must have been filled, even so one felt that there was nothing wrong in mutilating or 'emending' a text. The Greek translators of the Bible, who never for a moment could have doubted the verbal inspiration of the Hebrew original, permitted themselves to alter it. Even the Targumim insert passages and change words, especially in the case of anthropomorphic expressions.⁸ Indeed, the rabbis enumerate several passages where the reading of the Hebrew original was for one reason or another changed.⁹ Such practices cannot be compared with the Pauline

⁶ Berakot 17 b.

⁷ From Kennedy, *Philo's Contribution to Religion*, p. 97.

⁸ Cf. Exod. 24. 10; Num. 23. 19.

⁹ Tanhuma, Exod. 15. 7. Cf. Mekilta, *ibid.*, et Gen. R. 49.

rejection of the whole legalistic system (p. 42), nor does one readily see how Philo ever arrives at a 'position regarding the law which approximates that of Paul' (p. 56). There was no need for Philo being led away 'from the region of ceremonial into that of obedience to the Divine will', since for him they are identical.

Spiritual matters are of course subjective, and one can hardly be called to account for one's opinions on them. Professor Kennedy is therefore certainly within his rights in considering Paul a person of 'surer spiritual vision' than Philo. Yet the constant reiteration of such phrases produces on the reader an effect which is not happy.

The same must be said of Mr. Bentwich's repeated references to the Hellenistic movement as an 'impure' syncretism. The attempt to condemn whole philosophies and civilizations by means of short adjectives has its place, but certainly not in the calm discussions of scholars.

In spite of his manifest contempt for the Hellenistic movement, Mr. Norman Bentwich portrays well the conflict between the rival cultures in Palestine and in the Diaspora. In Palestine the Hebraic culture fought for supremacy, and won; in the Diaspora, it struggled for its very life, and in the main cannot be said to have succeeded. Mr. Bentwich finds one of the causes for this failure of Egyptian Jewry in the attempt that its leaders and exponents made to proselytize. In spiritual matters, at least, it is not true that the best defensive is a strong offensive. The attempt to gain converts for Judaism could only end by bringing into the fold large numbers who looked upon Judaism as another philosophy, but could not have for it the same deep affection that filled the souls of all who were born and bred in the faith.

On the other hand, the author does not lay sufficient stress on the inherent weakness that was introduced into the Hellenistic movement when Greek began to substitute Hebrew, first as the language of literature, and then as the sacred tongue. There is certainly that element of truth in the statement of the later

Sages that the day of the translation of the Bible into Greek was one of dire calamity. Philo may have been saved from becoming a mere Greek eclectic by his deeply religious nature, but that could hardly save the day for his followers. All who read his works were by the nature of things more deeply imbued with Hellenic than with Hebrew culture. As a result, it was only his post-mortem conversion into a Church Father that saved his works for posterity. Certainly this is a lesson that Jewish men of science to-day might do well to keep in mind.

While it is true that in Palestine during the Second Commonwealth Hebrew was not the vernacular, yet it did remain the literary and the sacred language. Moreover, Aramaic was not identified with the particular culture which Israel was called upon to combat. Nor could Greek culture hope to succeed in dominating the Holy Land after the signal victories of the Hasmoneans. It is true that Greek civilization had a subtle influence on Jewish literature even after its outward manifestation had been dealt a blow from which it could not easily recover. As Mr. Bentwich points out, the mysticism which became prevalent in some Palestinian circles was due largely to this influence. He also notes that some of the ethical teachings of the Sages may be traced to Greek sources. There is also the possibility that the systematization of the Halakah was influenced by the presence of a scientific culture. The compilation of the hermeneutic rules first by Hillel, and then by R. Ishmael, probably goes back to the influence of the Greek love of system which pervaded the atmosphere. And it is not impossible that the same facts which brought about a greater development of mysticism in Babylonia also led to the deeper development of the rules of interpretation. In the west, the nearness of Greek culture and of Christianity made all that was even remotely connected with them instinctively hated and repressed, while pagan Persia offered a fertile field both for the development of an Halakic system and of mystic imagery.

It is not quite certain, however, that the Greek language had the influence on Jewish ritual that the author thinks it had

(p. 117). That *Sanhedrin* is a Greek word is true, but that that body was originally a religious rather than a purely political one still remains to be shown. The word *Parnas* is used to-day of a President of a Jewish community, but it was not so used in Talmudic times.¹⁰ Nor is its derivation from the Greek established beyond doubt. Many of the lexicographers seem to think it purely Semitic. The word *Bima* is sometimes used to describe a raised dais from which the Torah is read,¹¹ but it is never described in the Palestinian works as a definite part of the synagogue structure. Similarly, *Tik* is used of the box in which the Scroll of the Torah is held,¹² but the word for the Ark, as a definite part of the synagogue edifice is *Tebah*.¹³ Onkelos translates *Zizith* by *Kraspedon*,¹⁴ but that would not prove anything in view of the fact that the Peshitto and the other Targumim do not use the word. As is well known, the vocabulary of Onkelos is Babylonian Aramaic; and its use of *Kraspedon* would merely make us doubt whether the word is originally Greek.

In spite of such specks, the book is a genuine contribution to English Judaica. Its chapter on Hellenistic literature should arouse an interest in that branch of Jewish studies. In so doing, it will serve to bring back to Israel some of the works of its children who were estranged from it not for any sins of their own but because of the evils of the times. The day of reconciliation seems to have come, and it is high time that the Hellenistic writers be welcomed back to the domain of the literature of the Jewish people.

LOUIS FINKELSTEIN.

New York.

¹⁰ See Aruch Completum.

¹¹ Compare Sotah 7. 8.

¹² Shabbat 16. 1.

¹³ Megillah 4. 5.

¹⁴ Num. 15. 38.

THE RELIGION OF ISRAEL¹

TO ONE who is accustomed to draw his knowledge of the Bible and of Biblical ideas from some of the more advanced German higher critics, it will be refreshing to turn to these books, which are entirely free of any bias or prejudice. Some of the German scholars are unable to dissociate their personal antipathies towards Israel of the present from their studies of the experiences and achievements of Israel of antiquity. They begrudge the credit due to Israel, because of their dislike for the descendants of Israel living in their midst. They therefore seek to discredit the contributions made by the Jewish people to the spiritual growth of humanity. Some of them (e.g. Friedrich Delitzsch in his *Babel und Bibel* series, and especially in his latest diatribe *Die grosse Täuschung*) would go to the extent of robbing ancient Israel of all moral excellence and even of religious genius. These American scholars, however, approach the subject with reverence and with sympathy. While believing firmly in the superiority of their own faith, and neglecting no opportunity to point out this superiority and to emphasize it, they nevertheless recognize the grandeur of the teachings of ancient Israel, and extol with genuine appreciation the achievements of our great prophets and seers. Some of the German Biblical scholars have not yet learned the lesson that Dr. Barton (p. 243) deduces from the Book of Esther. 'Modern lands suffer as acutely from race antagonism as did any country of the ancient

¹ *The Religion of Israel*. By GEORGE A. BARTON, Professor of Biblical Literature and Semitic Languages in Bryn Mawr College. New York: THE MACMILLAN COMPANY, 1918 (The Religious Science and Literature Series). pp. 289.

The Religious Teachings of the Old Testament. By ALBERT C. KNUDSON, Professor in Boston University School of Theology. New York, Cincinnati: THE ABINGDON PRESS, 1918. pp. 416.

world. This antagonism results in plots as bloody and cruel as that depicted in the Book of Esther, and, sometimes, in massacres and lynchings, which, if not as extensive as those portrayed in Esther, are no less barbarous. . . . We read in the pages of Esther how hate always begets hate, that violence begets violence, and that it may deflower the souls of those who participate in it of their fairest beauty and noblest spirit.'

While dealing practically with the same subject, since Barton also does not carry his investigation any further than the period of the rise of Christianity, these two volumes differ widely in the manner of approach, in the attitude towards the subject under discussion, and in the form in which it is presented. Professor Barton's book is intended primarily for the college student, who 'wishes to know the truth as fully and frankly as it can be known'. It is therefore really a text-book, not necessarily suggesting dryness and stiltedness, because the author's style is most charming and his diction exceedingly lucid and attractive. It is a text-book, distinguished by precision and accuracy, by strict logical sequence, and by an apparent effort at economy of space. Professor Knudson's book was written 'to meet the needs of the preacher and the general Bible student'. It is therefore supposed to be a popular book. The style is in consequence at times more emotional, less matter of fact, and sometimes even homiletic. Without detracting from its scientific value, the author succeeded in producing a volume that is most readable, that will appeal to the uninitiated, and will also be of value to the specialist. Because of the different aims that the authors had in mind, they also follow different methods in presentation. Dr. Barton follows the chronological order, preferring to dwell on the causes that led to the development of the various religious ideas among the ancient Israelites, although at the end of the book several chapters are devoted to the treatment of specific theological topics. Dr. Knudson, on the other hand, follows the topical method, taking up one after the other the chief theological ideas and showing how these were gradually evolved in the course of Old Testament Jewish history.

Dr. Barton introduces his work with a study of the early Semitic religions and of the value of the Biblical narratives. This he regards necessary in order to establish the proper background for the investigation which is to follow. The author's theories regarding Semitic origins, which he elaborated in several other works and articles, are here boiled down into a few chapters and presented with clearness and precision. While discarding the fanciful allegorical interpretations of the Biblical stories advanced by Winckler and his followers on the one hand, and the equally ingenious inventions of Jensen and Zimmern and their followers on the other hand, the author still refrains from accepting the narratives regarding the beginnings of the Israelitish nation literally. He maintains that the early stories clustering about the patriarchal family are stray reminiscences of characters and events that may actually have existed, but were not necessarily in any way connected with the origin of Israel. The main stock of the early Israelites were the Leah tribes (cowboys?), who later entered into an alliance with the Rachel tribes (shepherds?), and still later with the Bilhah and Zilpah tribes. The Rachel tribes only lived in Egypt for a time, and after their deliverance from Egypt through Moses made a covenant with Yahweh. This was the first distinction between the relation of these tribes to their God and the relation of other peoples to their gods. While the latter regarded their gods as related to them in a physical way, the Rachel tribes looked upon their God as related to them by means of a covenant, which implied mutual responsibilities. When they settled in Canaan and became an agricultural people, the religion of these tribes underwent many changes, influenced by the religious notions and practices prevalent in Canaan. Yahweh became the God of Canaan, owning the land and taking special interest in its cultivation. Hence many of the agricultural laws became prominent in the covenant with Yahweh and the festivals were given a new meaning, as a result of the agricultural conditions of the land.

With the appearance of the great prophetic personalities in the eighth century B. C. E., as those of Amos, Hosea, Isaiah, and

Micah, a new epoch set in the development of the religious life of the people. Then the great ideas of monotheism, of an ethical and social religion, of God's love for His creatures, and later, in Isaiah, of the messianic hope, with all that this implied, came to the foreground and little by little sank into the consciousness of the mass of the people. These ideals were further developed by Jeremiah, who emphasized the universality of God and the idea of individual responsibility, and still later by the Second Isaiah, who gave new meaning to the notions of the Election of Israel, Israel's Mission, and Israel's Sufferings. The priestly code was compiled during the Babylonian exile. This brought a puritan spirit into Jewish life and helped to transform the Jewish nation into a Jewish church. The law gradually endeared itself with the people, and the establishment of the synagogue, with its popular appeal, helped a great deal in strengthening the hold of the law on Jewish life. The Pharisees and the Rabbis still further developed the law in its application to every detail of life, and allowed it to become the ruling principle in the Jewish religion.

In the course of this historical résumé, Dr. Barton discusses the several religious ideas of ancient Israel, showing how they were influenced in their growth by the events and conditions, and how they in turn influenced Jewish life and conduct. The last few chapters of the book are devoted to the treatment of several specific subjects, as the development of the priesthood, the subject of angels and demons, the religious ideas of the Psalms and of the wisdom books, the smaller books of the Bible and the Apocrypha. The last chapter is devoted to a discussion of the Jewish Dispersion.

Although concise, the small volume contains a wealth of information and of suggestive thought. Every chapter is provided at the end with Topics for Further Study, which include also references to standard volumes on the various subjects suggested. One need not accept all the conclusions of the author, but one will be greatly stimulated by the lucid presentation and the fair criticism of the subjects covered by the author.

Much more conservative in tone, though maintaining through-

out a scholarly and critical attitude, is the work of Professor Knudson. The author, at the very opening of the book, enunciates the principle 'that the literary prophets were not, in the proper sense of the term, the "creators of ethical monotheism"'. The higher faith of Israel may be traced back into the preprophetic period. Indeed its germ is to be found in the teaching of Moses'. This heresy, from the point of view of the most advanced critics of the Bible, is valiantly defended and repeatedly emphasized. The author does not hesitate occasionally to establish some relationship between the religious ideals of ancient Israel with modern thought and experience. Some might condemn such attempts as unscientific, but it is really these human touches that make the book so eminently readable and interesting.

After an introductory chapter on the development of Old Testament Religion and Literature, the author begins the topical treatment of his subject. The book naturally divides itself into two large divisions: one treating of God and the other of man. In the first division, the author discusses the Personality of God, His Unity, Spirituality, Power, Holiness, Righteousness, and Love, concluding with a chapter on angels and other divine beings. The second section deals with the Nature of Man, the Doctrine of Sin, the Problem of Suffering, Forgiveness and Atonement, Nationalism and Individualism, the Messianic Hope, and the Future Life. Throughout the book the human element predominates. Copious quotations are given from the works of other authors, with which the author shows great familiarity, but the author's personality and his own convictions are manifest on each page. All technical terms and metaphysical expressions are first clearly explained before they are used in the text. With due modesty, the author does not hesitate to leave certain matters unsolved, admitting that he was unable to find a solution for them.

In discussing the principle of the Unity of God, Dr. Knudson is naturally forced to consider the Christian belief in the Trinity. Recognizing the great advance of the monotheistic ideal in face of

the polytheistic worship of the ancients, Dr. Knudson still feels that 'it failed permanently to provide for the complexity and richness of the divine nature which seems necessary to satisfy the deepest needs of the human heart. And so in the course of time there grew up the Christian doctrine of the Trinity or Tri-unity'. He then proceeds to show that even in the Old Testament we find a 'number of tendencies towards the establishment of hypostatic distinctions in the divine nature'. For a non-Christian it is rather difficult to understand why the 'complexity and richness of the divine nature' cannot be conceived, as indeed it was conceived throughout Jewish history, to be inherent in God Himself, as the attributes applied to Him, without giving them each a separate existence. The assumption that the expressions Spirit of God, Word of God, and Wisdom of God, which occur in the Bible, are personified and conceived of as having true hypostasis is based on very flimsy proof. The deep Christian feelings of our author and his firm faith make him see things which are not quite patent to the impartial observer. He avoids, however, the old orthodox policy of trying to find in the Old Testament references to Jesus and to his advent. He lays great emphasis on the messianic hope as enunciated by the prophets, and believes that this hope coloured and stimulated their exalted ethical and social ideals. In agreement with most modern Biblical scholars, he interprets the 'servant' passages in Isaiah to refer to the people of Israel as a whole, whose sufferings are regarded as 'vicarious and redemptive'. The heathen nations, in the words of the prophet, realized that the affliction that befell Israel should have been their lot, and this realization carried with it wonderful redemptive qualities. 'It led to repentance and confession and the recognition of Israel's God as God of all the World.' Our author does not even find it necessary to add here, as does Dr. Barton (p. 131): 'It remained for Jesus of Nazareth, the ideal Israelite, to take up in his person and experience the work which the prophet had conceived as possible for the nation, and to make the ideal real.' The ideals held out for the nation by the prophet, the interpretation given by him to Israel's mission in

the world, were the ideals and interpretation held and urged by the best Jewish minds throughout the centuries. It was not necessary for them to have these ideals incorporated in a person. The prophet's picture of Israel's election as an election for service, as an example to humanity, was to the Jews of all ages sufficiently clear and sufficiently concrete so as to mould their lives accordingly. Of course, the nation did not always live up to the ideal. But this did not in any way lessen its potent influence on Jewish life and thought. It even influenced the strictly legal enactments of the Rabbis of later ages, and, as Dr. Schechter puts it, the idea of the election of Israel 'always maintained in Jewish consciousness the character of at least an unformulated dogma' (*Aspects of Rabbinic Theology*, p. 57).

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SCHLEITER'S 'RELIGION AND CULTURE'¹

THE book contains, as the sub-title suggests, a philosophico-psychological analysis and critique of the methods employed in the study of the genesis and development of the spiritual nature of man, or of what the Germans not inaptly call the *Geisteswissenschaften*, as ethnology, folk-lore, and particularly the religious phenomena. The author points out, one after the other, the pitfalls and difficulties which beset the workers in these fields who attempt to establish comprehensive generalizations and classifications and formulate valid universal conclusions, to which they frequently succumb, and the reason and causes thereof. The investigator who devotes intensive study to a limited geographical area or historical period and undertakes to formulate universal laws upon the group of cultural facts observed therein as if they were isolated and independent, neglects the important factor of the transmission and intermixture of cultural elements from one area to another. Besides, the specific people under consideration may not be in a primitive *status quo*, but rather represent a process of degeneration from a higher level of culture.

The comparative method often classifies the facts gathered from the four corners of the earth and the ends of time in a loose and superficial manner, taking as its *fundamentum comparationis* a merely external, morphological criterion, and thence 'bunching facts without reference to their cultural settings and the penumbræ of thoughts and feelings which cluster round them'. Such terms as animism, fetishism, taboo, and so on, designate phenomena of most varied historical origin and psychological and affective motivation. For instance, a certain animal is taboo because it

¹ *Religion and Culture*. A critical survey of methods of approach to religious phenomena. By FREDERICK SCHLEITER, Ph.D. New York: COLUMBIA UNIVERSITY PRESS, 1919. pp. x + 206.

is considered sacred ; because it is believed to be the incarnation of an ancestor ; because it is a totem ; because it is unclean, &c. The author does not disparage the comparative method, but pleads for a more adequate sifting, testing, and re-analysing of the phenomena marshalled for comparison in accordance with more critical principles, and abandonment of the exclusive use of the form criterion as basis of classification of similarities. In general, the religious phenomena should not be described and characterized in the abstract as isolated facts lifted out of their indigenous habitats, but their genetic history and cultural and psychological setting taken into account.

These few remarks may convey an idea of tone and tenor of the book, but hardly suggest the richness of its contents. All the theories and attempts to get at the *primordium* of the spiritual life of man and to determine the stages of its evolution, from *mana* to monotheism, are here in a keen and profound manner analysed and dissected, weighed and, on the whole, found wanting.

The absence of an index in a book teeming with so many interesting and important items is regrettable. The book is heartily recommended to all interested in the study of man.

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BARON'S 'THE JEWISH QUESTION AT THE CONGRESS OF VIENNA'¹

EFFORTS to secure Jewish rights through international congresses of the powers have naturally brought into prominence recently the deliberations connected with the earliest of the conferences at which the Jewish question was considered, that of Vienna in 1814-15, which had almost wholly escaped attention on the part of Jewish historians until the last few years. Accordingly, in the scholarly, able, and interesting booklet before us we find over 200 pages devoted to a theme which was wholly ignored in the *Jewish Encyclopedia*, and to which Graetz, Jost, and Philippon devoted only a few lines. Numerous citations fortify every statement in the text.

In the main, Dr. Baron reaches almost identically the same conclusions formulated two years earlier in M. J. Kohler's 'Jewish Rights at the Congresses of Vienna and Aix-la-Chapelle' (printed in vol. 26 of the *Publications of the American Jewish Historical Society*, and separate booklet reprint, 1918), and almost identical quotations and dozens of the same citations are to be found in both works, though Dr. Baron does not seem to have utilized that writer's work, probably by reason of the war. Dr. Baron has had access, however, to some contemporary manuscript material in the Vienna archives and elsewhere, which clears up a few controverted points. Chief of these is the famous eleventh hour modification of the Jewish rights clause to the detriment of the Jews, by the substitution—in the passage safeguarding

¹ *Die Judenfrage auf dem Wiener Kongress*. Auf Grund von zum Teil ungedruckten Quellen dargestellt von SALO BARON. Herausgegeben mit Unterstützung der historischen Kommission der 'Israelitischen Kultusgemeinde in Wien. R. LOWIT VERLAG. Vienna and Berlin, 1920. pp. 211.

Jewish amelioratory provisions secured during the Napoleonic period—of the words ‘*by* the several (German) states’, for ‘*in* the several states’, which thereafter was availed of as an argument for disregarding emancipatory provisions adopted by revolutionary governments under French influence. Dr. Baron—like the writer hereof—shows that Graetz’s charge is utterly unfounded that Gentz, the Secretary of the Congress, had apparently surreptitiously falsified the protocol in the pay of anti-Semities by inserting this modification in accord with an apocryphal earlier resolution of the congress. He shows (p. 202) that Gentz did not even keep the minutes of the Committee on German Affairs at which this change was made, but that the publicist Martens was the secretary of that Committee, and that Gentz at the Congress was, in fact, pro-Jewish. The original minutes of the Conference of the earlier date (preserved in the Vienna archives), moreover, do in fact contain a marginal annotation, substituting the German word *von* for *in* (p. 167), and show that the Conference’s declaration in favour of the principle that the pro-Jewish determinations in the 32nd Military Division (which included Hamburg, Bremen, and Lübeck) were not thereby to be continued, was then already determined upon as intended to be expressed by such proposed modification. If this concession be made, it is difficult, however, to accept Dr. Baron’s view that comprehensive terms in the Treaty, intended to except the revolutionary governments of the Hanseatic cities, were to be restricted to those places, on account of this latent intention, and not to be applied to other revolutionary governments, meantime unseated. The mystery becomes all the greater that Prince Metternich and Prince Hardenberg, immediately after the Congress, nevertheless construed the terms of the Treaty most favourably to the Jews, not merely in their application to Frankfort-on-the-Main, but also with respect to the Hansa towns of the 32nd Military District, regardless of this change. They either were unfamiliar with the change designedly made by the Conference, or sought to deliberately disregard it by exerting their full influence in favour of Jewish emancipation nevertheless.

Dr. Baron unduly minimizes the terms employed in their striking letters. He also (p. 191) was able to locate in the semi-official Austrian newspaper *Beobachter* of Dec. 12, 1816, the text of the joint protest of Austria, Prussia, Russia, and England of Nov. 6, 1816, against Frankfort's disregard of the Jewish clauses of the Treaty; the present writer in vain sought the full text thereof in the British archives. But our author unjustly chides the Jews of Frankfort and their advocates for seeking to take advantage of their special grants and privileges, instead of merely making common cause with the Jews of Germany in general, whom Dr. Buchholz championed so ably. Dr. Baron, as well as the present writer, regards Wilhelm von Humboldt and Prince Hardenberg as the leading champions of Jewish rights at the Congress, but does not do sufficient justice to the efforts of Metternich and Gentz. In fact, Dr. Baron has discovered a heretofore unknown protocol of a secret conference of May 28, 1815, reading 'Prussia has announced that she will not yield with respect to the Jews' (p. 160). But he seems to have overlooked significant entries in Gentz's diary and correspondence, which the writer hereof cited in his work, emphasizing Gentz's services to the Jews on this occasion, and probably because of Gentz's custom of accepting presents, failed to do justice to his career, as was so well done by W. Allison Phillips in his brief sketch of him in the *Britannica*.

As concerns the under-estimate of Metternich's services, this seems all the stranger in the light of the interesting petition to him which Dr. Baron unearthed in the Austrian archives, signed by Arnstein, Eskeles, Herz, Lämél, and Auspitz (pp. 141-5, compare 148, 170-1), the five most distinguished Jews of Austria, of each of whom he gives interesting character studies. He would, moreover, have greatly strengthened the argument in favour of the value of the Congress's action as a precedent for Jewish emancipation, had he coupled with it the incorporated provisions (sanctioned by all the leading figures of the Congress) in connexion with the union of Holland and Belgium, which accorded absolute religious liberty, and equality of civil and political rights,

to the Jews of those states, in common with those professing all other creeds ; see as to this, the present writer's above-cited work and a reference to the incident in Clémenceau's famous letter to the Premier of Poland, dated June 24, 1919. Similarly, emphasis on the use of the Treaty of Vienna provisions in favour of the German Jews as precedents in England in the struggle for Jewish emancipation there, as also by Gabriel Riesser in Germany later on, would have rendered this interesting and valuable work still more comprehensive. The fact remains, however, that the services of the Congress to Jewish emancipation consist, far more, in the public and notable arguments in favour of such equality of rights, advanced by its leading spirits, and its declaration of a general principle, than in what was actually reduced to legal formulas, as a result of compromises which enlightened fore-runners of their times were compelled to submit to, in order to gain the adherence of the illiberal majority of delegates representing more benighted, petty, states.

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I

THE LAST GEONIM OF SURA

BY JACOB MANN, Baltimore.

THE importance of Sherira's Letter for the chronology of the Gaonic period becomes all the more evident when we miss its sure guidance. When Sherira wrote his well-known epistle to Kairowān in 987 C. E., the Sura school was defunct.¹ But not very long afterwards this ancient seat of learning reverted to its former function. Samuel b. Hofni became its Gaon, and still in the lifetime of Sherira an agreement was entered upon between the two Babylonian academies and their heads about the division of the donations from benefactors.² Samuel b. Hofni was a renowned scholar and shed new lustre on the school entrusted to his care. Beyond this the further vicissitudes of Sura have been entirely obscure. Hitherto Samuel b. Hofni was regarded as its last Gaon. Ibn Daud (Neubauer, *l.c.*, 67, l. 9 ff.) even gave us the year of the Gaon's death, viz. four years before the demise of his great son-in-law Hai Gaon (1038 C. E.), hence in 1034 C. E. And this date has passed without challenge into every book of Jewish history.

¹ He writes (Neubauer, *Mediaeval Jewish Chronicles*, I, 40, ll. 11-12) ובתר הכי לא הות מתיבתא במתא מחסיא.

² This is evident from Samuel's letter, printed by Margoliouth, *JQR.*, XIV, 308 (cp. p. 621 and also my remarks in *JQR.*, N. S., VIII, 362 f.), (read מרררב (מררב) i. e. Hai) כי התחת [ן] בנו שרירא נאון טרם אסיפתו בשנים ועם נאון בנו (i. e. Hai) כי התחת [ן] בנו ויקח בתנו ויכתבו בינינו תנאים בשמנ[ו] ומהם כי כל הנדבות וכו'. See also Poznański, *Haggoren*, VI, 44.

On the very surface it would seem rather strange that Hai, who himself reached a very advanced age³ (having become Ab of the school already in 985 C. E.), should have outlived his father-in-law by only four years. But of course such reasoning would by itself carry no conviction. However, by means of new Genizah data we are able to establish the facts that Samuel b. Ḥofni was succeeded in the Gaonate by Dosa, Sa'adya's son; that the latter died towards the end of 1017 C. E.; that the next Gaon of Sura was Israel Hakkohen, the son of Samuel b. Ḥofni; that his successor in turn was 'Azaryah Hakkohen, probably a son of Israel; and finally that the *last* president (as far as yet known) of the Sura academy was a certain Isaac Gaon.

To begin with, a Damascus MS. of Sherira's Letter (Neubauer, *l. c.*, I, 189, bottom) has an addition at the end of the epistle which gives first the dates of demise of both Sherira and Hai and then continues as follows, ונפטר אדננו שמואל הכהן בן אדננו חפני בחדש אב שנת שכד ונפטר בנו אדננו שמואל הכהן גאון ליל חמישי חדש כסלו שנת שמח. Accordingly Samuel b. Ḥofni died in *Ab* 1013 C. E., while *his son* (Israel) died on the eve of 5th of Kislev (1)345 Sel. (= Monday, October 29th, 1033 C. E.). There is no doubt that between בנו and אדננו the word של has fallen out, hence read בנו של אדננו וכו'.⁴ The correctness of these dates is established by internal

³ Ibn Daud (*l. c.*, 66, l. 4 from bottom) gives his age at his death as 69 years. But the *var. lect.* מ"צ, 99, is more correct.

⁴ Ginzberg (*Geonica*, I, 13, note, end) was on the right track in tentatively suggesting that in Neubauer, *l. c.*, I, 189 (not 198 as printed there), Israel should be read instead of the second 'Samuel'. But there is really no need to change anything, but to supply של which is missing. (Poznański, *REJ.*, LXIII, 318, in adhering to the date 1034 as that of Samuel's death-year rejects Ginzberg's suggestion). Who knows whether Ibn Daud was not confronted with the same text and thus transferred the date of demise of the son (Israel) to the father (Samuel)?

evidence which the Genizah fragments discussed here furnish.

Dosa, Sa'adya's son, is designated a few times as Gaon. But as his time of activity as president of an academy could not hitherto be accommodated to the prevalent chronology of the period, his title was explained away as having been merely complimentary.⁵ All doubts are now dissipated by T.-S. 10 J 27¹⁰ (brownish paper, square writing, damaged and faded), being a letter from Hai Gaon to a Rosh Hasseder in Fustāt, no doubt identical with Elḥanan b. Shemarya (see about him, *JQR.*, N.S., VIII, 344). The address in Arabic (verso) is hardly legible. But in the middle there are clearly visible in Hebrew script the words האיי נאון, in the same hand as recto. Moreover the whole epistle is in the same handwriting as another letter from this Gaon which we give farther on (p. 440). Thus Hai's authorship of this letter is subject to hardly any doubt.

(recto)

⁶.

(1) קד נסר כתאבי פי זמנא הוּא אלי סירי ראם הסדר אטאל אללה
בקאה גואב כחאבה וערפתה פיה כבר ביע (2) ואן אבן רושל
אלפאס[י] נט רח⁷ מא כתאבני פי דלך אלומר בשי וינחל^{??} (3)
פ[י] הוּא
מן כאתבני לם יעג אלי קול[ה] לאן אל.אם ענדי פי וערפתה
אן כתאבי אד (4) [ראם אל] נאלות נטרוה[י] מן שמיה ועאפתה
וערפתה ופאה מר רב דוסא נאון מחסיה זכ לב וערפתה (5) אל
לה מן אלשהאדה פי התרת העגונה אחסן אללה תופיקה^{??} עד אן כתבת

⁵ See especially Poznański, *Haggoren*, VI, 47, and *Babylonische Geonim*, 106.

⁶ A few illegible letters, probably forming the usual heading בשמה רחמנא.

⁷ = נטריה רחמנא.

דלך אלכתאב (6) . . . מכאתבתה בסבב רגל באלפצטאט והו אבן
 אלשיך אבן אלחסן
 الفضل מר יוסף בן בשר אידה אללה אן אכאה מר עלי בן מר (7) בשר
 אדאם אללה קר וכלה בטלב חקוק לה ^{???}הזך ואל אוראכה ⁸ בכמי וכתאבי
 והי צחיחה והדא (8) אלרגל אלמוכל וה[ו] אלשיך אבן אלחסן אדאם אללה
 ע[זה ב?]דר כביר בבגדאד ו . . . לי שוכהא ⁹ ואנא אסאל סידי (9) ראש
 הסדר אן יתגרר מעה פי אסתדעא כא . . . ה . . . (II) . . . ויכתאבני
 במא יתנצל בה מן דלך אן שא אללה יד בשבט שכט ישע רב

Hai refers to a previous letter from him to the Rosh Hasseder in reply to the latter's epistle. He recapitulates here its various contents. A certain Ibn Rushl of Fez did not write to the Gaon on a certain matter. The Exilarch mentioned, is very likely identical with Hezekiah who then occupied this dignity in Bagdād. Further, the case of a certain עגונה is referred to. But the chief item of interest, contained in Hai's former letter and alluded to in the present one, is the report of the demise of Dosa, 'the Gaon of Sura'. The present epistle was dispatched on behalf of a certain Ibn-al-Fadhl Joseph b. Bishr in Fustāt whose brother, the elder Ibn-al-Ḥasan 'Ali b. Bishr, gave him power of attorney to collect a certain debt. The latter seems to have been a very influential man in Bagdād (l. 8), where the Gaon presided over the school that went by the name of Pumbedita (see *JQR.*, N.S., VII, 467 ff.; VIII, 348-9, and especially *infra*, p. 434 ff.). It was to please him that Hai requested the Rosh Hasseder in Fustāt (viz. Elḥanan b. Shemarya) to lend his aid in settling the matter.

⁸ אל אוראכה is evidently derived from the Aramaic אורכתא! For the latter see Talmudic Dictionaries.

⁹ This gives no satisfactory meaning here. Read perhaps 'שוכרא', thanks.

Hai himself drew up the document of attorney which Ibn-al-Hasan sent to his brother (l. 7).

Our epistle was written on the 14th of Shevat (1)329 Sel. (=February 2nd, 1018 C.E.). Shortly before ('in this time', l. 1) the Gaon reported in a previous letter the death of Dosa. He must have therefore departed this life towards the end of 1017 C.E. Hai styles him 'Gaon of Sura', a title Dosa is mentioned by also in another fragment soon to be discussed. There can be no doubt that he actually presided over the Sura school. But what about Samuel b. Hofni? To assume that there were then two rival Geonim of Sura would be quite unwarranted in the absence of positive proofs. But the difficulty does not arise at all, if we accept the above date of Samuel's demise, viz. Ab 1013 C.E. Thus his *successor* in the Gaonate for over four years was Sa'adya's son, Dosa.

The latter must have been very young in 942 C.E. when his great father died. When the defunct school of Sura was re-opened after 987 Dosa, though a son of a former Gaon, had to make way for Samuel b. Hofni who was Ab of Pumbedita (see farther on, p. 420)! It is hardly likely that this took place without friction.¹⁰ But Samuel's superior scholarship demanded and obtained recognition. He seems to have also been older than Dosa (see note 10). However, Dosa, blessed in years, at last reached the goal of his life on the demise of Samuel in 1013 C.E.¹¹ As will be seen from

¹⁰ See the beginning of the letter referred to above (note 2),
 . . . בדרכים ההם ופן יתעו ופן יטו ופן נטה כי אנחנו גדול הישיבה וזקינה
 אין גדול ממנו בחכמה ובשנים זיקני הישיבה עמנו ויוטבים לפנינו
 Samuel seems to defend here his position as Gaon by reason of his age and scholarship.

¹¹ Dosa's responsa (enumerated by Poznański, *Haggoren*, VI. 47 ff., 119)

the Fihrist printed farther on (p. 423 ff.), Sa'adya had two sons, Sheerit Alluf and Dosa. The former is mentioned first and seems to have been the elder son. Moreover, when that Fihrist was composed, 'less than eleven years since the death' of Sa'adya, viz. in 953 C.E., Sheerit was already Alluf, while his brother Dosa, in the absence of any such title next to his name, seems to have not yet been advanced in his studies. It is altogether obscure when this Sheerit was gathered to his fathers, whether before Samuel b. Ḥofni became Gaon or afterwards. But it may be safely reasoned that had Sheerit lived in 1013, he would have had a claim to the Gaonate prior to his brother Dosa.

When the latter died towards the end of 1017 C.E., Israel Hakkohen, the son of Samuel b. Ḥofni and Hai's brother-in-law, became president of the school. We have found him in Elul, 1004 C.E., collaborating in his father's correspondence. Indeed, he acted for some time (probably already, before 987 C.E.) as 'secretary of the school' (see *JQR.*, N. S. VIII, 364, and *infra*, p. 439).¹² Only a few

no doubt date from the years 1013-17 C.E., when he stood at the head of the Sura school.

¹² Cp. also *JQR.*, N. S., VIII, 7, top. I could not find the Memorial-List, referred to there, in MS. Adler 2594. For חפני read there חפני. He is designated 'head' of the school. But in reality he was only Ab (see *infra*, p. 420). Likewise in the fragment given farther on (p. 415) Samuel (b. Ḥofni) is called 'the son of a Gaon', more correctly 'the grandson' of a Gaon (i. e. Kohen-Šedek). T.-S. 8 G 3, consisting of 11 paper leaves, contains on fol. 1, recto, the following colophon: (1) קאבלת בהדא אלכתאב אלנסכה : אלעראקיה (2) וכאן מכתוב עליה (3) בכט מצנפה מא הדא נסכה (4) כתאב אלצמאן ואלכפאלה תאליף דיאן אלכאב (5) שמואל בן דיאן אלכאב חפני (6) ראס אלמתיבה בן כהן צדק. The colophon is signed by Netaneel Halleli. Now Ḥofni is rightly called here Dayān al-Bāb (דינא דבבא) = Ab Bet Din, see *JQR.*, N. S., X, 339). On the other hand his son Samuel is also given the same title. It may be that he composed this work on the laws of pawns

Halakic decisions of this Gaon have so far been preserved. T.-S. H 11¹ (2 vellum leaves, square writing, right-hand top corners missing, faded, size $8\frac{1}{2} \times 6\frac{1}{2}$ inches) forms the beginning of a work on the 'duty of prayer' which Israel composed at the request of Abraham b. Natan, better known as Ibrahīm b. 'Aṭa, Nagid of Ẕairowān. A poem in his honour we edit farther on (pp. 430 ff.; see also *JQR.*, N.S., IX, 163). Hai greatly eulogized this prominent leader of Ẕairowān Jewry, and his brother-in-law Israel, Gaon of Sura, likewise found him worthy of honour. We give here a few lines from this fragment.

(fol. 1, recto, l. 1) [בשמך רחמ' 13 (2) [כתאב פי וגוב אלצ] לזה
תצניף ישראל הכהן [גאון] בן אדונינו שמואל (3) [הכהן גאון] בן גאון
ללש[ך אל] גליל עלם אלדין ותאג אלאמה מררב (4) [אב]רה[ם נגיד]
הגולה בן מר רב נתן ראש הקהלות זכר צדיק לברכה (5) צנפה באסמה
לאנה אמר בולך פאמתחל מרסומה מתוביא (6) . . . ענר אללה פיה
וקאל מבתריא תבארך אללה אסרא 14 וכו'

This work was divided into thirty chapters, as we read and pledges (also mentioned in the Fihrist of his works, *JQR.*, XIV, 311, l. 3 of text, **כתאב אלצמאן**) while he was still Ab of the school. But of which? Ḥofni was Ab of the Pumbedita (Bagdād) academy. As presumably the defunct Sura school started on its new career only when our Samuel became its Gaon, one would be inclined to maintain that prior to this he too acted as Ab at the Pumbedita school! If this be correct, we might obtain the date when he left it to take up his new position as president of Sura. We know that two years before Sherira wrote his Letter Hai became Ab of Pumbedita, hence in 985 (see *infra*, p. 439). Accordingly we may reason that the vacancy, filled up by Hai, was due to Samuel's departure for Sura. However, in the absence of further data, too much reliance cannot be placed on this title of Dayān al-Bāb in our colophon because the heading of the work (fol. 1, verso) reads **בשמך רחמנא (2) כתאב א . . אב אלצמאן (1)** נע ואלכפאלה תאליף אדונינו שמואל גא (= גאון) נע. There follow in the MS. the introduction as well as an index of the thirty-one chapters of the work.

¹³ = רחמנא.

¹⁴ = אסראיל.

Egypt only began with David b. Daniel, in opposition to the Palestinian Academy. But his attempt failed when he was deposed in 1094 C.E. The first actual Gaon in the country of the Nile was Maṣliaḥ Hakkohen (1127–38 C.E.), when the Palestinian academy was no longer in existence.

But to return to our 'Azaryah Hakkohen. T.-S. 12. 109 contains a document the end of which is given here. The date cannot be ascertained.

. וכנֶקֶד [מִרְוֹ] נָתַן הַחֲבֵר בֶּסֶם גְּדוֹלָהּ¹⁸ בִּירְיָשׁוּעָה [ר' יוֹסֵף] הַחֲזָן
 בֶּר יֶפֶת
 הַמְלַמֵּד ר' צִמְחָה בִּירְאֵל[עֵזֶר] וְכֶנֶקֶד מִרְוֹ וְרַב יֹאשִׁיָּהוּ הַכֹּהֵן בֶּן כְּבוֹד גְּדוֹלָה
 קִדּוּ מִרְנּוּ וּרְבִנּוּ עֲזָרְיָהוּ הַכֹּהֵן
 רֹאשׁ הַיְּשִׁיבָה שֶׁלְעִיר מַחֲסִיָּה דַחְתָּמִין בַּחֲתִימַת יִדְיָהוּן בְּסִימְנִי[ה] וְיִשְׁמֹאֵל
 בְּרַבִּי שֶׁלָּה
 נָתַן בֶּן יִשְׁוּעָה יוֹסֵף בֶּן יֶפֶת הַמְלַמֵּד צִמְחָה בֶּר אֶלְעֶזֶר [י]אֲשִׁיָּהוּ הַכֹּהֵן בִּיר
 עֲזָרְיָהוּ
 גֶּאֹן וּמִדְּאִיתְבָּרֵר קִדְמָנָא דַּחְתָּמוֹת יְדֵי שְׁהָדֵי אֵילִין וְהָנִי אֵינִין בְּסִימְוִנְיָהוּן
 אִשְׁרָנוּהִי וְקִימְנוּהִי
 בְּרַחֲזִי דְנִיָּאֵל הַנְּשִׂיא רֹאשׁ יְשִׁיבַת גֶּאֹן יַעֲקֹב בִּירְעִזְרִיָּה [ע]
 יְהוּדָה הַחֲבֵר בְּסִנְהֶדְרִין גָּדֹל בֶּר הוֹצֵפִית תְּנֻלָּהָ

Accordingly this document was signed by five witnesses and was afterwards verified by the well-known Daniel b. 'Azaryah, Nasi and Gaon at Jerusalem, and also by the Ḥaber Yehuda b. Ḥuṣpit. Of the witnesses mentioned, the Reader Joseph b. Yefet (the teacher) is known from a letter which the community of Jerusalem sent to Ephraim b. Shemarya of Fustāt (*FQR.*, XIX, 108, ll. 13–14). Joseph is referred to therein as the representative of the congregation having gone to Egypt to collect donations on their behalf. Ṣemaḥ b. El'azar signs a bill of divorce together with the

¹⁸ = בסנהדרין גדולה.

Nasi-Gaon Daniel b. 'Azaryah, dated Tishri 1369 Sel. (= 1057 C.E.) at Jerusalem.¹⁹

Of chief interest for our purpose here is the signatory Joseph Hakkohen b. 'Azaryah Hakkohen, *Gaon of Sura*. He is no doubt identical with the person mentioned in the *Megillat Ebyatar*. The document was very likely drawn up in Palestine (either Jerusalem or Ramlah). Joshiah probably emigrated from Babylon to the Holy Land together with his uncle Daniel b. 'Azaryah.²⁰ As has been shown elsewhere,^{20a} Daniel was already in Jerusalem in the summer of 1051 C.E., when the well-known Gaon Solomon b. Yehuda died, and could thus succeed to the dignity without delay. Joshiah probably stayed there for some time. But subsequently, very likely after the demise of his uncle Daniel in 1062 C.E., he settled in Fustāt, where as son of a former Gaon of Sura and nephew of the Nasi-Gaon of Palestine he must have been much respected. Later on he introduced his cousin Daniel to the notabilities of Fustāt-Cairo and assisted him to obtain recognition as Nasi.

From the time of activity of Joshiah Hakkohen, both in Palestine and in Egypt, it can be inferred that his father 'Azaryah Hakkohen flourished in Sura in the second quarter of the eleventh century. This would very well fit in with the chronology of the Sura Geonim at the point we have so far reached. Israel Hakkohen died in October 1033 C.E., and the next Gaon to succeed him was none other than our 'Azaryah Hakkohen. The fact of both having been of priestly descent at once suggests that 'Azaryah was

¹⁹ See the document in Blau, *Jüdische Ehescheidung*, II, 102-3.

²⁰ Joshiah is stated in the *Megillat Ebyatar* (*l.c.*) to have been 'the son of his (i.e. David b. Daniel's) aunt'. Accordingly Daniel b. 'Azaryah and 'Azaryah Hakkohen must have been brothers-in-law.

^{20a} Mann, *l.c.*, pp. 178 ff.

Israel's son. As will be shown forthwith, 'Azaryah occupied the Gaonate for a few years only, and departed this life before Hai (1038). So far nothing whatever is known of 'Azaryah's literary activity.

There is one more Genizah fragment to be discussed in this connexion. As peculiar chance willed it, only one half of it has been preserved, the other having been torn off across its whole length. Had it been complete, we should have had a full chronological list of the last Sura Geonim, which to re-establish we have succeeded only after a laborious combination of scattered data. Yet even in its present state, the fragment yields several points of interest. T.-S. 6 K 2² (paper, square writing) contains on verso liturgical poems. On recto we have the following list :

- וְגַד בְּכַט מֵרֵנָא יִשְׂרָאֵל .
 נַחַת נַפְשִׁיה דְּטוֹב דִּילֵן בֶּן גֵּאוֹן דְּ[יֵלֵן]
 וְתוֹפִי²¹ מֵרֵנָא הָאֵי גֵאוֹן בְּאֵלּוּל שְׁנָת .
 וְנַחַת נַפְשִׁיה דְּאֶדְוֹנִינוּ חֲפְנֵי אָב דִּי[לֵן]
 5 נַחַת נַפְשִׁיה דְּמֹ צִמְח בֶּן מֵר יֵצ[חָק]
 וּמֵר רַב שְׂרִירָא גֵאוֹן בֶּח בְּתִשְׁרִי[י]
 וּמֵרֵנָא שְׁמוּאֵל בֶּב בְּשִׁבְחָה כָּה בֵּא[ב]²²
 וּמֵר אֶסְפָּה בֶּן מֵר בְּצִלְאֵל בְּמַעְלֵי ש[בְּחָא]
 וּמֵר דּוּסָא גֵאוֹן מַחְסִיָּה נוֹחוּ עַד[ז]
 10 תוֹפִי מֵר רִי יִשְׂרָאֵל גֵּאוֹן בֶּן מֵר שְׁמוּאֵל בְּיוֹם
 וְנַחַת נַפְשִׁיה דְּמ[ר] עֲזַרְיָה בֶּן [מֵר] נָא²³
 אִתִּילִיד הַלִּיל דִּילֵן בְּמַעְלֵי ש[בְּחָא]

²¹ וְפִי 'died', V, Pass. of תוֹפִי.

²² This reading is in accordance with the date in the passage cited above, p. 410.

²³ The last two letters are very faded. Hence the reading is uncertain.

ונחת נפשיה דמרנא האוי גאון ביום	
ומו יצחק גאון מחסיה [ביר] ח ²¹ מר[חשון]	
כאן מולדי פי יום אלגמעה ראש ח ² [דש]	15
וואפק דלך מן כליקה אלעאלם שנ[ת]	
וואפק דלך לסני אלהרבן שנת	
והי אלסנה אלתאסעה מן מחזור	
והי אלסנה אלתאסעה מן מחזור	
והי שלימין	20

This list was found in the handwriting of a certain Israel who probably was its author. The latter clearly was a member of the Pumbedita (Bagdād) school. Hence he designates the dignitaries of this academy as דילן 'ours'. We have obviously before us a chronologically arranged list of the dates of demise of the scholars enumerated therein. The first scholar mentioned is Tob (l. 2), most likely identical with Tob אב ישיבה שלגולה (i.e. Pumbedita-Bagdād), the son of the Gaon Ṣemaḥ b. Paltoi and grandfather of the writer of the interesting epistle, dated Nisan (1)264 Sel. (= 953 C.E., printed in *ŸQR.*, XVIII, 402, l. 1). Probably in our list read דטוב אב דילן, i.e. Tob, Ab of 'our' (school), the son of the Gaon of 'our' (school), viz. Ṣemaḥ b. Paltoi (872-90 C.E.). Hai Gaon, mentioned next (l. 3), is no doubt identical with Hai b. David, the next Gaon of Pumbedita (the first to reside in Bagdād, 890-8 C.E., see *infra*, p. 435). Then we have Hofni (Samuel's father), Ab of 'our' (school,²⁵ l. 4). Ṣemaḥ b. Isaac (l. 5) is unknown to me. Sherira Gaon (l. 6) died

²⁴ One could also read ח [ביום]. But there is no dot on the ח, unlike l. 6. Therefore the reading ח [ביר] appeared to me more justified.

²⁵ Already Ginzberg (*Geonica*, I, 7, note) surmised, though hesitatingly, that Hofni was Ab of Pumbedita.

on the 8th of Tishri. The passage referred to above (p. 410) indeed gives the date of his demise as *Tishri* (1)317 Sel. But the year 1005 C.E. is uncertain. It is more likely that Sherira departed this life a few years earlier at the close of the tenth century. Samuel b. Hofni (l. 7) died on Monday, Ab 25th, 1013 C.E., if we combine our list with MS. Damascus cited above (p. 410). According to the Tables in Mahler's *Handbuch der jüdischen Chronologie*, Ab 1st, 1013, fell on a Saturday, hence the 25th was on a Tuesday and not on a Monday. This discrepancy of one day reveals a miscalculation in the above Tables. Asaf b. Bešalel (l. 8) died on Friday. He is no doubt identical with the Rosh Hasseder of the Pumbedita-Bagdād school mentioned in a letter dated 1021 (see *infra*, p. 436). Next comes Dosa, *Gaon of Sura* (l. 9). Israel (Hakkohen) Gaon b. Samuel (b. Hofni) is mentioned next (l. 10). Whereas our list says he died 'in the day' . . . , MS. Damascus (above p. 410) states explicitly that his demise took place on the eve of the 5th of Kislev. But this discrepancy is really small. 'Azaryah (l. 11) is no doubt identical with 'Azaryah Hakkohen, Gaon of Sura. The 'death-roll' is interrupted by the mention of the birth of a certain Hillel, a member of 'our' (school. l. 12). Next we hear of the demise of the famous Hai Gaon. According to Ibn Daud (*l.c.*, 66, l. 4 from bottom) this happened on the seventh day of Passover (בערב יום טוב אחרון של פסח). Finally comes the date of death of Isaac, *Gaon of Sura* (l. 14). He seems to have been the *last* Gaon of this academy. How long he survived Hai is unknown. Thus the close of the Babylonian Gaonate and the causes that necessitated it are shrouded in obscurity. The Pumbedita-Bagdād school is stated by Ibn Daud to have existed for two years after Hai's death in 1038 under

the presidency of the Exilarch Hezekiah. But against this a contemporary note tells us that, after Hai, no 'head of the school was appointed in *Babylon*' (בבבל, i.e. Bagdād! see *infra*, p. 434).²⁶ But no reason is given for closing this ancient seat of learning. Assuming that Isaac presided over the Sura school till he was gathered to his fathers, we obtain the surprising result that Sura existed, though only for a few years, longer than Pumbedita-Bagdād! Why again the Sura academy became defunct on his death, and this time finally, is again altogether unknown. We can only hope for further Genizah discoveries to shed new and unexpected light on the deep darkness that covers this chapter of Jewish history.

²⁶ See especially on these conflicting reports, Poznański, *Babylonische Geonim*, I ff.

II

A FIHRIST OF SA'ADYA'S WORKS

IBN DAUD mentions in his historical work (*l.c.*, 66) as a source for Sa'adya's biography an epistle which the Gaon's son, Dosa, sent to the celebrated Jewish statesman in Spain, Hasdai ibn Shaprut. Dosa was hitherto the only known son of Sa'adya.¹ T.-S. 6 J 9¹ (paper, square writing, damaged, left-hand side torn) contains an interesting list of his works. The colophon of the fragment shows that the MS. dates from Tishri 1425 Sel. (= 1113 C. E.). But the list itself was copied from one which *two* of the Gaon's sons, Sheerit Alluf and his brother Dosa, composed on request when eleven years had not yet passed since the demise in 942 of their great father. We are given the exact time and date when the Gaon died, viz. at the end of the second third of Sunday night, Iyyar 26th, 1253 Sel., corresponding to May 15th, 942 C. E. From Sherira's Letter (*l.c.* 40, ll. 1-2) we know that Sa'adya became Gaon of Sura in Iyyar 928 C. E. Our fragment tells us that his connexion with this academy lasted for fourteen years less four days. Accordingly his accession to the Gaonate took place on Thursday, Iyyar 22nd = May 15th, 928 C. E. Finally, according to Ibn Daud, the Gaon's life lasted for about fifty years, and this has hitherto been the general opinion. But

¹ See especially Poznański's biography of Dosa in *Haggoren*, VI, 41 ff.

our Fihrist states that his life fell short of sixty years by some forty and odd days (see verso, l. 5).² Needless to say the latter number is the more correct one.

So much for the biographical data which our fragment furnishes. It reads as follows:

(recto, colophon)

(1) תם אלכתב ואלחמד ללה (2) רחמנה ישויה על מריה (3) סימן טוב
ויפתח לבו בדת (4) אלהיה ויקים ביה אז תבין (5) יראת י' ³ ויעבד
כל מה (6) דכתיב באוריתא וישויה (7) מבני עלמא דאתא וכל יש ⁴
(8) בכלל אמן אמן (9) סלה כ תשרי (10) אֶתְכֶּה

סימן	סימן
ראש קהל יועין	שמים וארץ
עצה	טובים הם
	אח ⁵
קובל בהא	אביעה חידות
וצחת	מני קדם
חסב אלואקת	א ⁵
	סמך למד
	תיו

These mnemonics are not clear to me.

(verso)

בשמ רחמ פהרס כתב רבינו סעדיה אלפ[יומי נע]
פהרסה
והיה כתבה עלי כתב בהא אולאדה אלי ב
אז סאלוהם פי [ד]לך בדי טיאל ולה ש
כתבו שארית אלוף ודוסה [א]חיו אהצצ
5 פחות מששים שנים מ. ⁶ [יו]ם מהן יד שנה ב[י]שי[בת]

² Very likely in Ibn Daud כבן נִי שנה (not fully rounded up) was misread by a copyist as נִי.

³ Prov. 2. 5. ⁴ ישראל. ⁵ אחר.

⁶ The missing letter can only be one of the first nine of the alphabet (א-ט).

מחסיה חסירות ד ימ[י]ם ו[נפ]טר בליל שני בסוף
האיטמות הת[י] כונה בשישה ועשרים בחודש
אייר שלשנת [א]לף ורננ[ו] היום לאסיפתו פ[חות]
מיא שנה המקום ימהר עמידתו בקרוב . . .
10 וזה הוא מחזור פי[ר]וש[י] א . . . ^a וכתביו ותשן[ותיו]
אלתוריה כאמל ב . . . ק בלא מעאני ומה ה[ו]
במעאני מן בראשית אלי ויצא ואלה שמ[ות]
ואלה המשפטים [וי]קרא ואחרי מות ^a וכתא[ב] . . . ?
אזהאר אלריאן מן בראשית אלי וזאת הברכה כ . . .
15 ונכת במעאני ^b ומן אלנביאים ישעיהו ^c ואלפאצאלת . . .
מסאיל מן תרי עשר ומן אלתוריה ^d ודרשאת עדה . . .
לם אחציה א . . . לולא אטואל ^e ומן אלכתובים תלי[ם]
ולה צדר מפרש כביר ^f ואיוב ^g ומשלי ^h ודניאל ⁱ ואי[כה] ^j
ומגלת [אס]תר ^k ומגלת בני חשמוני וצדר לה ^l . . .
20 ומן אלכתב אלמולפה סדור אלסלואת ⁷ וכתאב אלמאנאת ^m
וכתאב אלשהאדאת ⁿ וכתב אלודאיע ^o וכתאב אל
. . . ^p [ו]תפסיר הלכות יצירה ^q וכתאב גמע משראיע ^{8 r}
וכתאב גמע אלחנה ללסורוג ^s וכתאב אל[גמ]ע אבטאל
אל . . . יה ^t ואקאמת אלעיבור ^v וכתאב אל[גוב]א[ל]צלאת ^w

The Fihrist seems to be incomplete (probably another page is missing), since no mention is made of the Gaon's Sepher Haggalui, Agron, or his responsa; the latter are expressly referred to in the heading on l. 10.

^a Read perhaps פירושיו ואגרותיו.

⁷ Read אלצלואת.

⁸ Read אלשראיע.

NOTES

^a It is stated here explicitly that Sa'adya indeed translated the whole of the Pentateuch into Arabic, but supplied a commentary only to the first half of Genesis (c. 1–28⁹) as well as to the whole of Exodus and Leviticus. The division of the five books of Moses into two halves each was already in vogue in the time of 'Anan, as has been shown elsewhere.⁹

After the Gaon's death, it seems that Aaron b. Sarjado, his bitter opponent during the conflict with David b. Zakkai, set himself the task of continuing the work where Sa'adya left off. However, apparently only the second half of Deuteronomy was commented upon by him (c. 16¹⁸–end). It fell to the lot of Samuel b. Hofni successfully to complete the undertaking to furnish the remainder of the Pentateuch with an Arabic commentary, viz. the second half of Genesis (c. 28¹⁰–end), the whole of Numbers, and the first half of Deuteronomy (c. 1–16¹⁷). This complete work, the product of three scholars connected with the Sura academy, was before Joseph Rosh Hasseder b. Jacob Rosh bē-Rabbanan of Fustāṭ when he wrote in 1111 C.E. his commentary (really a collection of views of other authors) on the Haftārot.¹⁰ It

⁹ See Mann, *Journal of Jewish Lore and Philosophy*, I, 1919, p. 348, note 6.

¹⁰ More about this scholar, *infra*, p. 442, note 7, and my work, vol. I, 243. Bodl. 2624¹⁷, which contains a copy of Joseph's work, has a colophon (fol. 83, recto) wherein the writer states that the author Joseph, וקף עלי תפסיר אלתורה אלתלתה מן בראשית עלי ויצא ומן ואלה שמות אלי במדבר לרבנו סעדיה ומן ויצא אלי ואלה שמות ו[מן] במדבר אלי שפטים לרבנו שמואל בן חפני ומן שפטים אלי אכר אלתורה לרבנו אהרן בן סרגאדו.

The work of the last scholar seems to have been split up into pamphlets for the Sidrot. Thus Or. 5554, B., fol. 3, recto, begins בשם רחמ' (1) תנכית אתם נצבים לר' אהרן ביר' יוסף זל סרגאד (3) כללות נאמרו בסיני [ב] לשון יצוב (4) שנ ויתיצבו בתחתית ההר ונשנו (5) באהל מועד שנ ונצבו איש פתח (6) אהלו ונשתלשו בערבות מואב כאן הונא אתם

should only be added that in the book-list (printed by Poznański, *ZfHB.*, VII, 184-5, no. 5) תפסיר ואלה המשפטים is not for this Sidrah only, as Poznański thinks, but for the second half of Exodus (c. 21-end). The same applies to no. 6, *ibid.*, where the second half of Leviticus (c. 16-end) is meant.

^b This work, called 'choice of practices', probably dealt with the laws of the Pentateuch in the order given to them in the five books of Moses. Sa'adya furnished them with a commentary. In the book-list (published by Bacher, *REJ.*, XXXIX, 200, no. 22) there is mentioned a part of this work, viz. on Genesis (שית מן כתא] ברא, ונוו מנרר ספר, אלאזהאר תאליף רבנ[ו סעדיה], cp. Bacher, *ibid.*, 206, no. 9, and Poznański, *ZfHB.*, *l.c.*, 186, no. 20).

^c About the commentary on Isaiah, see Steinschneider, *Arab. Literatur*, p. 56 f.

^d 'Explanations of words of . . . questions' based on Minor Prophets and the Pentateuch. This work is so far unknown. It is doubtful whether תפסיר תרי עשר קטעתין (*ZfHB.*, *l.c.*, 184, no. 3) formed a part of it.

^e Sa'adya seems to have composed a number of sermons (דרשות = דרשאות) which are, however, not enumerated.

^f The commentary on Psalms had an extensive introduction. See Steinschneider, *l.c.*, 57.

^{g-k} About these commentaries see Steinschneider, *l.c.*, 57 ff. Those on Job and Esther are also mentioned in the book-list in *ZfHB.*, *l.c.*, p. 185, nos. 11 and 14. As regards

נעבים. There follow explanations of Deut. 29. 12 (vv. 10-11 are left out) and (on the last line of manuscript) on למען ספות הרזה את הצ (v. 18; the intervening verses are not commented upon). Aaron's commentary on וזאת הברכה is quoted in a fragment of a work on the calendar by Joseph b. Yehuda Rosh Hasseder of Mahdiya (*JQR.*, XVI, 692, see XVII, 169 f.).

the Daniel commentary, see especially Poznański, *Haggoren*, II, 92–103.

¹ Evidently a translation of the 'scroll of the sons of Hashmonai' (the Maccabees), prefaced by an introduction. It is probably identical with *ומגלת בני חשמונאי ומעניהא* (*ZfHB.*, *l.c.*, no. 15), as well as with the item in *RÉJ.*, *l.c.*, no. 33, *ופיה מגלת בני חשמונאי מפסרה*.

^m The well-known Siddur and the famous religious-theological work.

ⁿ An Halakic work on evidence (*עדות*), probably identical with the one mentioned in *RÉJ.*, *l.c.*, no. 38, *וגזו פיה אלשהאדאת ופיה מסאיל לרבנו סעדיה זל*. It seems that the Gaon incorporated therein some of his responsa on this subject.

^o An Halakic work on pledges (*פקדון*). See Steinschneider, *l.c.*, 49, no. 5.

^p Owing to the lacuna, it cannot be ascertained what this work was.

^q His well-known commentary on Yeşirah; 'the laws of Yeşirah' = Sepher Yeşirah (so also Sherira in a responsum, ed. Harkavy, no. 29).

^r 'A collection of laws', probably an Halakic work. But perhaps it is identical with the treatise on the defence of the revealed laws (see Steinschneider, *l.c.*, 50, no. 13).

^s The Gaon's defence of the precept of kindling lights on Friday night (against the Karaites). This work is also mentioned in *JQR.*, XIII, 55, no. 78, *ומקאלה פי סראן אלסבת*, 78, *לר' סעדיה* (see also Poznański, *ibid.* 329–30).

^t This seems to have been a polemical work.

^v About this treatise on the calendar (*עיבור*), see Steinschneider, *l.c.*, 63, no. 26.

^w See above, p. 416.

III

ABRAHAM B. NATHAN (ABŪ IṢḤĀḲ IBRAHĪM B. 'AṬA), NAGID OF ḲAIROWĀN

It is only in recent years that the existence of Negidim in Ḳairowān in the first half of the eleventh century has been established.¹ Following the Egyptian example, the Jewry of North Africa had an officially recognized communal leader who went by the title of Nagid. At the Court and in Arab society in general this dignitary was known as Rāis al Yahūd. Whereas the first Egyptian Nagid, Palṭiel, as well as his son and successor, Samuel, had political authority over the Jewries in the whole of the Fāṭimid realm, then comprising Egypt, Syria, North Africa, and even Sicily, later events brought about a division of the office of Nagid. In the course of the first half of the eleventh century the sway of the Fāṭimid Caliphs, residing in Cairo, over North Africa gradually became weakened. The rulers of the Sanhāja Berbers, seated at Mahdiya (near Ḳairowān), had more or less a free hand even while still nominally acknowledging the suzerainty of the Caliphs of Egypt (till about 1044). But then Mo'izz, the ruling governor, joined the orthodox Sunnites and accepted in 1046 a new investiture from the 'Abbasid Caliph of Bagdād. Mo'izz succeeded in maintaining his independence against the central government

¹ See Poznański, אנשי קירואן, pp. 4-5.

at Cairo, which henceforth had no authority farther west than Barka.² Under these circumstances the Jews in North Africa could count on no adequate intervention with the local authorities on the part of the Nagid residing in Cairo. They found it necessary to have a recognized political representative of their own at the court of the ruling governors at Ḳairowān or Mahdiya.

The first Nagid of Ḳairowān seems to have been Abraham b. 'Aṭa, who is greatly eulogized by Hai Gaon as well as by an anonymous North-African poet.³ We have read above (p. 415) of the treatise on Prayer which the Sura Gaon Israel Hakkohen b. Samuel (b. Hofni) dedicated to him. Abraham's successor to the dignity was Jacob b. 'Amram whom we have found in office while Elḥanan b. Hushiel was head of the Bet-Dīn of Ḳairowān. Also the Gaon of Jerusalem, Solomon b. Yehuda, refers to the Nagid Jacob in one of his letters.⁴

We edit here another poem in honour of Abraham b. 'Aṭa (Bodl. 2877⁴²). The superscription reads, 'And he (the poet) said (it) in praise of the Sheikh Abū Ishāḳ Ibrahīm b. 'Aṭa, may God prolong his duration'.⁵ From recto, l. 9, we learn that the father of this celebrated person was called Nathan (בְּחִירוֹ בְּנוֹ נָתָן).⁶ The author, a stranger in Ḳairowān, greatly commends our Nagid for his generosity, high qualities, and eminent services to the community. It cannot be ascertained whence the author hailed, whether

² See Mann, *The Jews in Egypt and in Palestine under the Fāṭimid Caliphs*, vol. I, 1920, pp. 252-3.

³ See especially Davidson, *JQR.*, N. S., I, 231 ff.

⁴ See *JQR.*, N. S., IX, 162-3, and my work, mentioned above, p. 144.

⁵ In the *Catalogue* בֶּן עֲטָא is wrongly printed as קֵעֲטָא.

⁶ Cp. the poem printed by Davidson, *l. c.*, pp. 241 (l. 35) and 242 (l. 50) גְּבִירִי בְּנוֹ נָתָן.

from the Orient or Spain. His composition is written in fluent and attractive language, and deserves publication as a leaf in the crown of laurels wound around the head of this prominent leader of the Kairowān Jewry.

(recto)

וקאל ממתרחא ללשיך אבי אסחק
אברהים בן עטא אטאל אללה בקאה
7 אַרְבַּע גְּלוּתִי. בְּעֻנְיִי וְדִלּוּתִי. וְהִנְנִי אֵילּוּתִי⁸. מִגֵּלָה לֶךְ רִיב[י].
כּוֹחִי עֲזָבָנִי⁹. וְכִמְתַּחֲשָׁבָנִי. וְחֲטָאִי סָבָבָנִי. וְדַוְיִי¹⁰ וּמִכְאוּבִי
[ו]חֲמִיד בְּשׁוּעָתִי. לֶךְ צוּר יִשׁוּעָתִי. וְאַשְׁחָה בְּדַמְעָתִי. לְעֶרְסִי וּמִשְׁכְּבִי¹¹
[ו]מְרוֹב עֲזוּנֹתִי. וְעוֹצֵם זְדוּנֹתִי. מְרַבִּים יְגוּנֹתִי. בְּנַפְשִׁי וּבְלִבִּי
5 וּבִשְׁתִּי בְּתִכְחָתִי. וְכִמְתַּחֲשָׁבָתִי. בְּעֻבִי לְמִשְׁפַּחָתִי. וְאַחִי¹² וּבֵית אָבִי
[ו]לֹאִי אֲשֶׁר נֹעַד. לְעַמּוֹ בָּעֵת צַעַד¹³. וְסִינִי מְאֹד רָעַד. בְּעַמְדִי בְּמַעְצְבִי
[ו]הָקִים לְמוֹשִׁיעִים. בְּכָל דּוֹר לְנוֹשָׁעִים. נְדִיבִים וְגַם שׁוֹעִים. מְפִיגִי לְמַעְצְבִי
[ו]מֵהֶם נְשִׂיא דֹרוֹ. נְסִיכּוֹ וְכִבִּירוֹ. מְאִירוֹ וּמִנְהִירוֹ. וּפּוֹדוֹ בְּמִשְׁכְּבִי
בְּחִירוֹ בְּנוֹ נָתַן. נְדִיב לֵב כְּמוֹ אֵיתָן¹⁴. מְהֵדֵד כְּמוֹ חֶתָן. בְּחֵדְרִי וּמוֹשְׁבִי.
10 [ו]פָּנָיו פָּנֵי חֶמֶה¹⁵. וְלִבּוֹ לֵבב חֶמֶה. וְגִבּוֹר בְּמִלְחָמָה. בְּאַרְיֵה וְגַם לְבִיא

⁷ Each strophe consists of four hemistichs, of which the first three have internal rhyme while the fourth one rhymes externally. The metre of each hemistich is — — — — — | — — — — — except the first one of the first two lines which is — — — — —.

⁸ i. e. God, cp. Ps. 22. 20.

⁹ For עֲזָבָנִי, to suit the special metre of this hemistich.

¹⁰ The metre demands this vocalization. The noun is דָּוִי, דְּוִי in pausal form (cp. Ps. 41. 4), hence וְדַוְיִי would be more correct.

¹¹ Cp. Ps. 6. 7.

¹² This word can also be vocalized in the plural, וְאַחֵי.

¹³ 'At the time of (His) step', i. e. when He guided Israel from Egypt towards Sinai. The whole line is based on Ps. 68. 8-9.

¹⁴ i. e. The Patriarch Abraham, his namesake, who is identified in the Agadah with אֵיתָן הָאֲזֶרְחִי (Ps. 89. 1, see Baba Batra 15 a).

¹⁵ Just as Moses (cf. Sifré to Num. 27. 20, חֶמֶה כַּפְּנֵי חֶמֶה).

ADDENDA TO 'THE RESPONSA OF THE
BABYLONIAN GEONIM AS A SOURCE
OF JEWISH HISTORY'

(*JQR.*, N. S., Vols. VII-X)

BY JACOB MANN, Baltimore.

OWING to conditions in consequence of the War the instalments of my treatise appeared at intervals of considerable length. In the meanwhile further reading as well as research among the Genizah manuscripts suggested a number of additional remarks which could not be inserted in the proofs without much derangement.

VII, 465. About the Gaon Naṭroi from Bagdād see also Brüll (*Fahrbücher*, II, 146, note), who writes that he could not have hailed from this town since it was only founded later on by al-Manṣūr. Therefore Sherira (in his Letter) defines the locality as 'from the Bridge' (מן חותירתא) or 'from the outer Bridge' (מן חותירא ברא), i. e. the eastern bank of the Tigris. But that there was a Bagdād in the neighbourhood prior to al-Manṣūr is evident from the fact that already in 750 C. E., we find in Fustāt a 'head of the congregation', Abū-'Ali Ḥasan of Bagdād (אבנראדי, see above, VII, 477). See also Houtsma's *Encyclopedia of Islām*, I, 564, col. 1, s. v. Baghdād, 'The 'Arab authors are also quite explicit that al-Manṣūr's foundation must not be

considered as an entirely new settlement of a hitherto uninhabited district. They mention a whole list of pre-Muhammedan places which had gradually arisen in the area filled by the 'Abbasid capital. The most important of these was Bagdād, a village of Christians on the western bank of the Tigris'.

VII, 468 f.; VIII, 348 f. The Exilarch seems to have resided in the quarter of al-'Atiqah in Bagdād. * Thus we read in the account of the inner organization of the schools (in Neub. II, 78, ll. 4-5) ועוד אם יתקבצו ראשי הישיבות שתיהן עם ראש גלות בארץ עתיקה בבבל בשבת שרגילין להתקבץ אליו וכו'. As בבל stands here for Bagdād (see also above, VII, 466), there is little doubt that by ארץ עתיקה the above quarter is meant. Likewise in Nathan Habbabli's report of the recognition of Daniel b. Zakkai as Exilarch by the Gaon Kohen-Şedek and his school we read (*l.c.*, 80, ll. 3-4), וכבר הכינו לו (לדוד בן זכאי) חצר בכפר ידוע בארץ עתיקה להיות בה וכשהגיעו לשער מדינת בבבל היו אומרים שירים ופזמונים ערבים עד שבאו אל החצר אשר הכינו לו.

A highly interesting responsum by Hai¹ (preserved in ש"ש, I, 63-4; shortened in יו"כ, המנהיג, 61 b) tells us about the residence of the Pumbedita Geonim in Bagdād, ואמר רבינו הא"י ואשר כתבתם כי מנהגכם לומר סדר עבודה ביוהכ"פ בשחרית ובמוסף וכי מצאתם שמר רב עמרם שאמר שאין סדר עבודה אלא במוסף כדרך שאומר תקיעות בר"ה דע כי העיקר מה שאמר רב עמרם כך הוא ובאותו זמן לא היה נודע לא בנהרדעא ולא בסוריא (בסורא r.) לומר סדר עבודה אלא במוסף . . . אבל בבגדד מתוך שחביב עליהם דבר זה היו אומרים גם בשחרית ומר רב הא"י גאון בן מר רב דוד שהיה דיין בבגדד שנים רבות קודם לגאונותו לא היה יכול להסיעם ממנהגם והוא תחלת מי

¹ His Arabic name was Abū Bishr, as is evident from a letter in Jewish Arabic (T.-S. 10 J 25¹) wherein the writer mentions that he sent an epistle to מולאי ראם אלמתיבה אבי בשר הא"י נט' רח'

אליו מר רב אסף² ראש הסדר זכ לב והראה כי הוא גורס לפניו התלמוד גירוס מנומר וכו'.

As a resident of Bagdād Hai mentions in his responsa local customs. See ש"ש I, 89, ובבגדאד עושין בבתי כנסיות שלהן, ואמר רב האי אין מנהגינו להעתיק, II, 73-4; סוכות וכן מנהג ישראל את המת מקבר במקומו אלא יש שקוברין את המת בבגד (בבגד ר. r.) ואחר זמן מוציאים אותו כמה פרסאות אל עבר פרס המערבי למדבר הסמוך לשימון. . . ולענין העתקת עצמות האשה ממקום למקום היינו שומעין מן הזקנים אומרים כמה נאה שלא לעשות כך. . . ואע"פ כשתמות אשה חשובה שולחים את גויתה [מ]בגד אל פירי שאבור אל מדבר השימון ודאי איסור אין בדבר וכו' (There is no doubt that פירי שאבור is a corruption for Peroz-Shabur = Nehardea, as already Bamberger, יצחק ירנן, note 735, remarks.) Burial at Nehardea must have been regarded as a great honour. ואמר רב האי בבבל ובכל סביבותיה כשחל, ש"ש I, 23, ט' באב להיות בשבת אין אומרים ויהי נועם אלא אומר תחתיו איכה ואני זאת בריתי ויהי נועם nor ויהי נועם אמר ר. 'Amram maintain that neither in ויאמר ויאמר ויאמר ויאמר be said, but Hai quotes the Bagdād custom of omitting the first only. See also 'Ittūr, II, 45 c, top, ורבי האי אמר אין מנהג שיתוודה ש"ן במנחה ערב יו"כ ולא שמעתי בבבל שיתוודה.

Nehardea, as the district including Pumbedita, is sometimes mentioned where we should expect the latter. See *Gr.*, V⁴, 444, note 1, and ג"מ, no. 44 (cited above, VII, 467).³

² He is probably identical with מ"ב שיטין, mentioned in a Genizah fragment containing several decisions of Babylonian Geonim (*JQR.*, IX, 689). Abraham b. Solomon cites an explanation of his, together with Hai Gaon's (*Hebr. Bibliogr.*, XX, 9). See also above, p. 421.

³ See also עטור (ed. Venice, 1608, fol. 102 d, top) ובתשובות מורדת על בעלה דיניה (ר. דינה) מרתקינו (ברתקינו) רבנן סבוראי בשנת תתקס"ב לשטרות (651 C. E. =) למנין שטרות וביומי מר (דמר ר. r.) רבנא גאון מפומבדיתא ומר בא ומר רב הונא גאון מסיריא (מסורא ר. r.) נע ואיהו הוא דאסר כנתא

In Khalaf b. Sarjādo's lampoon against Sa'adya (Harkavy, *Stud. u. Mitteil.*, V, 230) we read, החלת קלונך הוא בדאר אבן, נאנך (נאנך) or נמצאת ותבוא השמועה אל שער הישיבה ובעליית דרב אלבקר ראוך אנשים כשרים תחת הנערים עם כתבי הקדש אף נערי נהרדעא נלאו ממצוא לך. These scurrilous attacks seem to refer to Sa'adya's enforced stay in Bagdād after he had left Sura owing to his conflict with David b. Zakkai. שער הישיבה I take to mean the Sura school, whither reports of Sa'adya's doings reached. By נהרדעא נערי apparently the disciples of the *Pumbedita school*, situated then in Bagdād, are meant. Likewise Shemarya b. Elḥanan was ראש שורת נהרדעי under Sherira (above, VIII, 352). Perhaps the responsum from Bagdād (above, IX, 145-6) emanates from Sa'adya during his stay there. Its tendency to combat Karaism by deducing several Rabbinic laws from the Bible is quite in agreement with the whole attitude of this powerful defender of Tradition, Sa'adya. But Hai b. David could just as well have been its author, since under him the Pumbedita school was transferred to the 'Abbasid capital.

Albeck in his new edition of *Haeshkol* (pp. 6, note 18, and 73, note 4) speaks of a school with Geonim in Bagdād apart from those of Sura and Pumbedita. In the Introduction, c. 6 (which is inaccessible to me and has probably not been published yet), he promised fully to substantiate his opinion. But the data, discussed here, prove clearly ואיהו תני הויא דהאשה נקנית. אבל ביבמה מורדת לא עבדינן תקנתא לתקנתא וקיימא אדינא דגמרא כי תפשה מכתובתה מאי דכתב בעלה לא מפקין מינה וחליין לה בתר י"ב חדש לאחר מיתת הבעל. ומאי דלא תפשה במאי דכתב לה בעל היא פלוגתא בין מתיבתא דנהרדעא ובין מתיבתא דסוריא (דסורא). There is no doubt that Nehardea stands here for Pumbedita, as its Gaon, together with the principal of Sura, decided upon the change in the law of מורדת (see also above, X, 122). About the date 651 c. E. see also Graetz, v⁴, 401.

our contention that the school of Pumbedita found a new home in Bagdād. This removal took place, as Hai tells us, during the Gaonate of Hai b. David (890–8 C. E.).⁴

VII, 471. Jews from Khurasān visited the Khazār dominion. See the fragment published by Schechter (*JQR.*, N. S., III, 206, ll. 36–8) ויחלו היהודים לבוא מן בגדד ומן כורסן ומארץ יון והחזיקו בידי אנשי הארץ ויתחזקו בברית אב המון.

VII, 480; VIII, 350. Elḥanan b. Shemarya received from Hai a pamphlet explaining the difficult words in 'Aboda zarah (see Steinschneider, *H. B.*, IV, 107; *Jüd. Zeitschr.*, I, 313, note 20).

VII, 484–5. The whole community of Fez seems to have been deported to Ashīr. This we learn from the correct text of MS. Parma (given by Lewin, *Fahrh. d. jüd.-liter. Gesellsch.*, VII, 254) אלו שאלות ששאלו קהל פאם המועתקים (מלפני אדוננו שרירא וכו' האיי דיינא דבבא בר שרירא ריש מתיבתא לכל רבננא ותלמידיהון ובתאי וציבורי דמותביהון בפאם אשיר דאשתניא ממדינת פאם טאבי מעלאי בחירי נהירי וכו' Accordingly, טאבי is not a geographical name but an adjective referring to the people of Fez, who are complimented as 'good, superior, select, &c.' This responsum was written during the Kallah of Adar 1298 Sel.=987 C. E. Probably Samuel b. Hofni's letter to Fez (see above, VII, 485, note 31) refers to the

⁴ Hai in his famous responsum about mysticism and 'practical Kabbalah' (in טעם זקנים, 56, top), after referring to the amulets which the Sura Gaon, Moses Hakkohen, 832–43, was reported to have made frequent use of, writes ובישיבת סורא היו דברים אלו רובם כי הם קרובים למדינת בבל ובית נבוכדנצר ואנו רחוקים משם. Here Babylon is not Bagdād but the old Babylon in which neighbourhood Sura was (see also Graetz, v⁴, 445). Besides, in the time of Moses Hakkohen the school was still situated in Pumbedita. Probably by the statement 'and we (were) far from it', the Gaon means the school over which he presided.

persecutions prior to the expulsion of the local Jews to Ashīr, whither also Jews from Tlemsen were compelled to depart. In this epistle Samuel's son, Israel, is already mentioned as the secretary of the school (see VIII, 364, and also above, p. 414). Hai styles himself in the above responsum as 'Dayyan of the Gate'. We know from Sherira's letter, written in the same year, that Hai became Ab Bet-Dīn about two years previously (Neub., I, 41, (וּסְמִיכִינִיָּה לְהֵאֵי בִנְנוּ בְּאֵבוֹת בֵּית דִּין מִן שַׁעַר תְּרֵתִין שָׁנִין). A clear proof that the Ab of the school is identical with its דיין רבנא (see above, X, 339, and also Mann, *l. c.*, vol. I, 273, top).⁵

Of Sherira and Hai's correspondents in Fez two are mentioned by name. They were the brothers Abraham and Tanḥum, the sons of Jacob. T.-S. 13 F 2¹ (paper, square hand, size $10\frac{3}{4} \times 7$ inches) contains on verso the beginning of Maimonides' Introduction to his Mishneh Torah. On recto there is a great deal of scribbling. Thus the poem in honour of Maimonides' work, בִּינוּ בְּדַת מֹשֶׁה (see Steinschneider's מורה המורה, no. 18, in קבץ על יד, I) is repeated four times. But in the scribbling the beginning of a pamphlet of responsa has been preserved. It reads, שְׁאֵלוֹת אֵילֹו אִשְׁרִי שְׁאֵלוּ מִרְּ אֲבֵרְהֶם וּמִרְּ תַנְחוּם בְּנֵי מִרְּ יַעֲקֹב יִשְׁמְרֶם יוֹצֵרֶם מִבְּנֵי מִדִּינַת פֶּאֶס מִלְּפָנֵינוּ מִשְׁעַר יִשִּׁיבָה שְׁלֹנֹלָה מִבִּי"ד הַגְּדוֹל שְׁלֹאדוֹנֵינוּ שְׁרִירָא רֹאשׁ יִשִּׁיבַת גֶּאֹון יַעֲקֹב חֲמוּד אֲדוֹנֵנוּ חֲנַנִיָּה רִיגִי נִכְדִּי אֲדוֹנֵנוּ יְהוּדָה רִיגִי וּמִבִּי"ד הַגְּדוֹל שְׁלֹאדוֹנֵינוּ הֵאֵי אֲבִי בִי"ד שֶׁל יִשִּׁיבַת גֶּאֹון יַעֲקֹב חֲמוּד אֲדוֹנֵנוּ שְׁרִירָא רִיגִי וְצוּינוּ וְקִרְאֵנוּ וְכו' (there follows the usual formula) מְקוֹם לְחִבְרוּ לַעֲשׂוֹת לוֹ קִבְרָא עוֹשֶׂה תוֹכָה שֶׁל מַעֲרָה (B. b. 100^b). This heading is repeated on the same page in the scribbling in a somewhat shortened form.

⁵ Against Eppenstein in Graetz, v⁴, 134, note 5.

A highly interesting letter from R. Hai to these brothers in Fez, dated Adar 26th (1)315 Sel. = 1004 C.E., is preserved in T.-S. 12. 829. Unfortunately the epistle is damaged and very faded. I give here what could be safely deciphered. The address (verso) reads

... מרי ורבנא אברהם בני מרי ורבנא תנחום זכר לברכה
ורבנא תנחום ינצרים יוצרים ויגן
בעדם ויסעדם

תנחום in the second column is a slip for יעקב as is evident from recto. Besides the Hebrew address there is one in Arabic wherein the word *الفسطاط* is still visible. The epistle was probably sent in the first instance to Fustāt for transmission to Fez (cp. above, VIII, 355 ff.).

(recto)

[האיי רא] ש הישיבה שלגולה בן שרירא ראש הישיבה שלגולה

(1. 1) [מחמדי עינינו] ו. ומשאי [רוחנו] וידידי נפשנו. ומורשי לבבנו.
מרי ורבנא אברהם ומרי ורבנא תנחום החכמים האדירים האיתנים החשובים
(2) . . . [ה] גבירים החבובים הסגולים . . . בני מרי (3) [ור] בנא
יעקב זכרו לברכה עושה שלום יברך אתכם בשלום . . . (4) . . . שאו
שלום ממנו ומן כל חכמי הישיבה כי ברחמי אלהינו אנו שלום ומורים לו
(5) כתאבנא אליכמא יא מחמדי ע[ינינו] אטאל אללה בקאכמא . . . עלי
ידי אבי אלטייב מר עמרנא הלוי בן מר (6) הלל ו . . . מעה אגובה
אלג שאלות כאנת פי כתא[בי] . . . דלך וצל וקע מוקעה ואלדרג
אלדי פי אלשאלות אלאכר (7) . . . איאם כתאב מחמד עינינו
אבי אלפרג אלופ אדאם אללה עזה ודכר לנא אנה קד אנפד (8) . . .
ואלחמם גואבהא ומא וצל אליה דלך . . . ודכר לנא ופאה אבי
יוסף מררב יעקב אלופ (9) בן שאהון זכר צדיק לברכה וכאן דלך
[כתאב] מציבה מתל אליום אלמצאייב ואלפגאיע . . . מני בעץ מא אבאנתה
מן אלחזן עליה רצי (10) אללה [עליה] וספחת עליה זכרו ל[ברכה] פי
[אלמתיבה] ופי אלגמוע ובכת אלגמאעה עליה אלהי ישראל ירחמהו . . .

There follow five more lines, very faded. On line 14 we

read סבעין דינאר אנפרהא ד כלוף בן ד יוסף ז[כר] לטוב. The epistle is continued on verso where nine lines are given. On l. 8 there is mentioned מר שלמה בן מר חכים בן אבי שכם נט רח. It concludes (l. 9) ושלומכם ירבה כו באדר שנת שי"ה ישע רב.

R. Hai previously wrote to his friends in Fez through 'Amran Hallevi b. Hillel, evidently enclosing responsa on three questions. He also refers to a pamphlet of other responsa. A letter reached him from Abū'l Faraj Alluf (no doubt identical with the Alluf (= Resh Kallah) Abū'l Faraj Joseph b. Jacob b. 'Aukal of Fustāt, who was a great patron of the Babylonian schools, see above, VIII, 357-8) containing the sad news of the demise of the famous Jacob b. Nissim ibn Shahūn⁶ of Kairowān to whom Sherira sent his well-known Letter.⁷ This report caused the Gaon

⁶ R. Hai spells the name שאהון and not שאהין. About the meaning of the latter see Rappoport, תולדות ר' נסים, notes 2 and 6, and Steinschneider, *JQR.*, XI, 614.

⁷ Numerous responsa were sent to this scholar by Sherira and Hai (see the list in Pozn., אנשי קירואן, no. 26). To these T.-S. 8 G 7³ (two paper leaves, damaged, size 7 × 5½ inches) should be added. On fol. 1, recto, top, the passage of Ta'anit 12a, from אמר שמואל כל תענית שלא קיבל עליו till תבטל גזרתנו את נדרו is given as גירסא (text). Then we have the explanation (פירושא) for which the following responsum, dated 991 C.E., is quoted: [ת]שובה לרבנו שרירא גאון ובנו רבנו הא"י אב זכ ל"ה שהשיבו: [ל]מר יעקב בר נסים קירואני שנת שב. וששאלת פליגי בה רב חייה ור' שמעון ברבי חד אמר ייסר וחד אמר יאסר האיך נמרא וסברא. נמרא כך ישמעון ברבי חד אמר ייסר וחד אמר יאסר האיך נמרא וסברא. נמרא כך איבא דאמרי לשון, his master did not accept, (צדק. . . ואין רבי מודה) The responsum is continued till l. 9 of fol. 1, verso.

On l. 10 ff. another responsum is given. לרבנו הא"י גאון ז"ל שהשיב לאנשי קירואן [ה]עתקתי מן הספר החתום בטבעתו [אמ שמ]ואל כל [ת]ענית שלא קיבל[ה] עליו מבעוד יום וכו'. There follows the whole explanation of the passage, ending on fol. 2, recto, bottom. It seems that some time after R. Jacob b. Nissim's inquiry, the Kairowān scholars again

great grief like on the days of national misfortune and calamity. He held memorial services for the departed scholar at the academy and also before the congregation, probably in one of the synagogues of Bagdād. His sermon moved the audience to tears. Considering the time that must have elapsed till the news of R. Jacob's demise reached Fustāt and thereupon transmitted to Bagdād, the Ḳairowān scholar must have died early in the summer of 1003 C.E. We read also of a donation of 70 Dinārs (for the school) which a certain Khaluf b. Joseph sent. Solomon b. Ḥakim is perhaps identical with the signatory of a document, dated 1030 C.E. at Fustāt (Bodl. 2805⁴).

Another responsum of R. Hai to Fez is mentioned in T.-S. 20. 91, dealing with the Talmudic law of inheritance, wherein we read ומצינו תשובה לאדוננו שרירא גאון זל לענין אדם בארי (בריא ר.) שכתב נכסיו לעניים ולא כתב מ[היום] ולאחר מיתה . . . והא תשובה פירשה אדוננו שרירא זל וחתם עלה ופסקה אדוננו האי זל בתריה במעמד כולחו רבנן דמתיבתיה לבני קהל פאם ומצינו לו שאמר כל מתנה דלא כתב בה מהיום ולאחר מיתה לא קאני וכו'.

inquired of R. Hai the meaning of this passage. Sherira was probably no longer alive then.

The copyist, who had Hai's original letter before him, was Joseph Rosh Hasseder b. Jacob Rosh bē-Rabbanan of Fustāt who flourished at the beginning of the thirteenth century (see the colophon in Bodl. 2624¹⁷, and also above, p. 426). He was an author of standing, but still more a prolific copyist of other people's literary productions, ranging from Talmud and Commentaries to Gaonic Responsa, Sa'adya's Siddur, and other liturgical works, Maimonides' writings, philosophy, medicine, and astronomy. The Cambridge Genizah Collection contains a vast number of leaves in Joseph's handwriting which none who went through this Collection could fail to notice. The identification of the above responsa as having been copied by him rests on my recognition of his handwriting. It should be added that T.-S. 13 F 2¹ (described above, p. 439) is also his copy. Very likely Bodl. 2878⁴⁴, containing Geonic Responsa, are also in Joseph's hand, because we have a similar superscription as above, לרבנו שרירא גאון ובנו רבנו [האי] זכ לז ייהשיבו לבני קירואן . העתקתיה מן הספר החתום בטבעותיהם.

VII, 483-5. Of other North-African communities who had relations with Sherira and Hai are known Ḳabes, Tahort, and Sejelmessā. T.-S. 10 G 5⁵ contains the tops of two leaves, brownish paper. On fol. 1, recto, the following can be read in large handwriting: | בישׁ מִרחמנא | :שאלות | אלו אשר שאלו מלפנינו | [בני מדי] נת תהרת וקצת | [בני קאב] ס הדרים עמם | [ובאו] לפנינו . . . (verso) פהרס [ת] . . . | פיה דרג תשובות לרבינו שרירא זל | ולרבינו האי זל אולה [ספר] תורה . . . | לא של עור ולא תנין ולא פסקות ולא | סתומה ולא פתוחה והיא בדוקה | . Verso evidently contained an index (fihrist) of the responsa. The pamphlet dealt at the beginning with a scroll of the Law. Fol. 2, recto, reads שרירא ראש ישיבת גאון [יעקב] וצוינו וקראו [א]תם | לפנינו כו', the usual formula. The beginning of this heading of a new pamphlet is not preserved. א ראובן אית ליה ממונא על שמעון בעדים ובשטר ואזל ליה שמעון לדוכתא רחיקתא וליתיה למפרעיה לראובן וכו'. Verso evidently is the conclusion of the pamphlet. וי' יוכה אתכם לקיי[ם] דבר על בריו | ולא [סוק]י הלכה כתקונה ותהיו למודי י' ותחשבו | מאותן הנאמר בהן | וכל בנך למודי י' | ורב שלום בנך.

A responsum of Hai to Ḳabes is mentioned in ש"ש, I, 114. His responsum to Sejelmessā concerning the consumption of dead locusts is also cited by Samuel b. Jacob ibn Jama' in his treatise on Sheḥiṭa (Steinschn., *Jüd. Zeitschr.*, I, 313, note 18; see *Arab. Liter.*, § 155).

VII, 487. About Naṭronai's connexions with Lucena see also 'Amram's *Siddur*, 1 a, וסדר אלו מאה ברכות כך השיב, רב נטרונאי ב"ר הילאי ריש מתיבתא דמתא מחסיא לבני קהל אליסאנה על ידי יוסף מאור עיינינו. Probably the following responsa by this Gaon were also sent to Lucena. ש"ש, II, 20, וכן השיב רב, נטרונאי לראשוננו בשביל ברמים שלכם ששאלתם שזמן הרישתם מגיע שאלו ראשוננו למר רב נטרונאי אם להטיל II, 44; ; לחדש ניסן וכו'.

בנוך וכו'. Ibn Gayyat, as the Rabbi of Lucena, mentions the local correspondents of Naṭronai as 'our early (scholars)'. About Lucena see also Harkavy, *חדשים גם ישנים*, VII, 25 (in Hebrew Gr., IV). See further, *סר"ע*, I, 42 a והא דשרר רב נטרונאי גאון לרבנן די באספמיא.

Sicily should be added to the European countries which had connexions with the Babylonian Geonim. Naturally Maṣliḥ b. al-Baṣeḳ (above, p. 435) kept up correspondence with Hai. A question of his to the Gaon is expressly mentioned (*Jüd. Zeitschr.*, II, 303-4).

VII, 489. An interesting statement about the Jews of Wādi'l Kura' in post-Gaonic times is to be found in Abraham ibn Megas's *כבוד אלהים* (printed in Constantinople, 1585, cited in *H.B.*, XIX, 42) (!) *צפוני למיכיי* (!) וכן בואדי אלקרניין (יש שם פחת ליהודים במדבר בארץ. ויש להם שלשה מגדלים וכבר ראיתי אחד מהם שהיה בא לארץ הצבי וטבעה הספינה וטבעו בים סוף חביריו והוא ניצל על לוח אחד וכבר בא לביתי וישב שם כמו שלשים יום ויותר ואמר שהם כמו אלף ות"ק בתים) (בעלי בתים. r.) בקרוב ועליהם נשיא אחד. וכולם משבט מנשה.

VIII, 340. On the variant names Ṣadok and Isaac for the same Gaon, see also Zunz, *Ritus*, 185. It should be noted that two more people have the name Isaac in front of their names. The Pumbedita Gaon Ṣemaḥ (either b. Paltoi, 872 C.E., or b. Mar R. Kafnai, 935) is styled in *שאלו* (ed. Amsterdam, 9^a) as Isaac Ṣemaḥ, *מקמי רב יצחק צמח ראש ישיבה* (ישיבת. r.) גאון יעקב הוא פומבדיתא וכו'. Also an Exilarch Hezekiah in 1055 C.E., perhaps the successor of Hai, is mentioned as *מר רב יצחק חזקיה ראש גולה* (see *RÉJ.*, LXVIII, 42, note 1). If it be not a mere coincidence, why just the name Isaac?

A re-examination of T.-S. 12. 856 revealed the fact that the correspondent of Naḥshon Gaon b. Ṣadok was called

(לרבנא שב[יב] 1. 1, read שב[יב]). He was a prominent scholar in Kairowān. Nahshon's son, Hai (Gaon of Sura, 889-96 C.E.), evidently also corresponded with this scholar. T.-S. 12. 77 contains a very damaged vellum fragment, brown, square writing, forming a portion of a Gaonic responsum. (evidently end of question) . . . (r., 1. 5) כך הר[אנו מן] (6) השמים [ד]תשובה שהושיב מר רב האי שלנו גאון מחסיה זכר [קדוש לברכה] (7) בשאלה זו ש[שאלתם] כדן וכראוי הושיב וכו' (v., 1. 5) . . . וכך הדין. וראינו שפרשת[ם] . . . (6) . . . בתשובה הזו שלאדונינו מררב האי שלנו גאון מתביה . . . (7) . . . [ע]ל הפרק רבנא שביב בן רבנא יעקב ורבנא ש . . . (8) The name of R. Shebib's colleague, who apparently addressed together with him the question to the Gaon Hai (of Sura), is not preserved. The author of the above responsum was no doubt also a Gaon of Sura who held office subsequently.

T.-S. 10 G 3 contains twelve leaves of Gaonic Responsa, eight of which apparently emanate from 'Amram Gaon. Fol. 5, recto, ends סליק אילין שאילאתא. Fol. 5, verso, begins תוב שאל' (= שאלאתא) דאתין בחנוכה שנת קע' כד גלו טרף והחולין. Thus these questions arrived at the school on Hanukkah (1) 170 Sel. = 858 C.E., when the chapters טרף (Yoma IV) and החולין (Yeb. IV) were expounded.⁸ The first responsum after the above superscription begins ושיטלתם כוס של קידוש. It is the same responsum as found in ג"ל, no. 56, with the important heading showing

⁸ After גלו understand פנים. Well known is the expression המגלה פנים בתורה שלא כהלכה (Abot 3¹¹). Of course there is also an interpretation of the Torah כהלכה. A similar heading we have in *Geon.* II, 326, l. 11 ff. אתיאן באדר שנת קסט' כד איתני הגזל עכו"ם ובא לו כהן (B. k., ch. IX) עמרם בר יטנא ראש מתיבתא דמתא מחסיא לרב' מאיר בריה דרבנא יוסף וכו'.

that it was addressed to Barcelona. But the text in our manuscript is more correct. Also the next responsum (fol. 6^a) begins וישאל מה להבדיל על הפת במקום שאין יין (wherein the opinion of R. Šadoḳ is quoted), while the one following (fol. 6^b) is the same as ג"ל no. 57. There follow other responsa not contained in ג"ל, whereas ג"ל no. 58 is not found in our manuscript which breaks off (fol. 8^b) with וישאל דנין שניצודו ביום טוב הראש' שלחג או תינים וענבים שנלקטו ביום טוב. It is evident that the collector of ג"ל left out several responsa contained in this pamphlet. ג"ל, no. 58, is probably taken from the missing part.⁹

⁹ The same pamphlet of responsa is apparently partly reproduced in T.-S. 20. 183, consisting of two vellum leaves, brownish ink, torn and damaged. Fol. 1, r., l. 17, concludes a responsum. We then have the same heading as in ג"ל no. 56, but without the words במדינת עמרם בר שישנא ריש מתיבתא דמתא מחס' לכל רבנן ! ברצלונא וחכמ' ותלמידים ושאר אחינו ישראל יקרים ונכבדים ואהובים לפנינו ש[לומכם] ירבה ויגדל לעד קיבלו שלום ממנו וממר ר' צמח דיינא דבבא ומן ראשי כלי ומכל חכמ' המסובים שהן במקום סנדרים^b גדולה ומן בני סיומי שהן במקום סנדרים קטנה ומשאר חכמים תנאי ותלמידים חכמ' (evidently to be deleted) שבישיבה כול[ם מת] מידין בשלומכם אנו שואלין שלומכם ומבקשין רחמים עליכם שירחם קבה עליכם ברחמיו הרבים תמיד ויגין עליכם והי בעזרכם וישמרכם וינצרכם מכל רעות וצרות ומכל פורענות ומכל חולי ומכאוב ויתן לכם כל משאלותיכם ובקשתכם בעת קוראכם לפניו. ושאלות ש[שא] לחם מלפנינו צוינו וקראו אותם לפנינו כיושבים לפנינו אב בית דין וא[לופים] וחכמים ותלמידים והתבוננו בהם ועמדנו על מה שכת בהן וכך היראונו משמים. Here follow (fol. 1, r. and v.) the first two responsa as in T.-S. 10 G 3. There is a gap between fols. 1 and 2. Fol. 2 a contains a responsum on יש לשנות (see Tur § 65 יו"ד) שומן גיד הנשה בין גיד הנשה לשמנו אין לשנות כל עיקר וכשנהגו בו ישראל קדושים איסור שמנהו כגיד הנשה לכל דבר. וישאל' הא דאמור רבנן הני מאנו (A. z. 33 b). This responsum ends fol. 2, middle, whereupon we have the conclusion of the pamphlet ואתנו ואתכם שיוכה ואתנו ואתכם להוציא הלכה לאמתה ולדין דין אמת לאמיתו ולא נכשל בדבר הלכה ויפתח לכם הק' שערי תורה ושערי חכמה ושערי בינה ותוכו ללמוד וללמד

^a To be deleted.

^b = סנדרים.

Between fols. 8 and 9 there is a gap, but the handwriting is similar. Fol. 9, recto, begins (1) מתיבתין דמתא [מחסיא] (2) והכ[מה] בעל מצות ומעשים טובים בריה לרבנא שביב בעל תורה (3) שלמא רבה מן שמיא ליהוי עליה דרבנן ועל כל רבנן (4) דקירואן שאיל' דפריש לקדמנא וכול' ודכתיב ראובן שמכר בכורתו לא[חיו] בחיי אביו זביניה זביני או לא. This is the same responsum as given in T.-S. 12. 856; only in T.-S. 10 G 3 the superscription is shortened. It is clear that in the latter manuscript after 'Amrain's responsa there followed a pamphlet of such, emanating from his successor in the Sura Gaonate, Naḥshon b. Ṣadoq.

Ḳairowān had very close connexions with both Babylonian academies (see above, VII, 482). It is therefore only natural that R. שביב b. Jacob should have corresponded with the

לשמור ולעשות וניזכה ותזכו לראות פניכם בקיבוץ נפוצות ישראל בירוש' עיר הקדש בבנינה ובישוביה ולשמוח בשמחתה בתיקונה וביעודה ברוב שמחות ורגנות כהבטחות חוים בקירוב אמן.

Thereupon a new pamphlet of responsa begins: סימן יפה לכל ישראל שאלות אלו יצאו לפנינו לשער הישיבה של אדוננו מתתיה ראש ישיבת גאון יעקב חמוד אדוננו רבי והגיע לפנינו בחודש ניסן בערב הפסח של שנת אלף ומאה ושבעים וארבע שנים לאחר שנפטרו אלופים וחכמים ותלמידים מלפנינו[ו] בשלום איש לביתו ולאחר שיעזאו ימי הפסח צוינו ושגרנו על החכמים ובאו לפנינו וצוינו אותם והתבוננו בהם ולפי מה שכתוב בהן ניראה לנו אמר אביי האי מברתא דתפולי (so in manuscript) הלכה למשה מסיני בהקומין (Men. 35 a. top) מעבורת שלתפלין מקום שמכניסין בו רצועה שלתפלין. עיבי הלוביון כמה שיינו שידה בית שמי אומ' וכו' (Kelim 11¹, Menah. 31 a, top). This heading is of interest for the information it furnishes as to the internal organization of the school. It also appears that Mattitya was then, in 863 c. E., already generally recognized. This was the case after the death of Menaḥem Gaon, Mattitya's rival. It thus establishes the reading 1171 Sel. (859 c. E.) as the year of Menaḥem's demise (see Sherira's letter, p. 38, bottom מנחם דמר רב נפשיה דמר רב מנחם קע"ה, where a variant has קע"ה, 864 c. E.).

contemporary Pumbedita Gaon, Ṣemaḥ b. Palṭoi (872 C. E.). This we learn from an interesting passage in Samuel b. Jacob's (ibn Jama') additions to the 'Arukh, which owing to its corruptness has not been fully understood. It reads (see ed. Buber in *Graetz-Fubelschrift*, p. 17; Buber, by some of his emendations, still adds to the confusion of the text) (אבאם s. v.) הדא מלתא בנתבי רשואתא מרב נטרונאי כתב בשדר (ושדר r.) ליה למר נתן בר מר חנינא לקירואן ולשאר אתרואתא דיש¹⁰ (= דישראל) כי אתא מר אלעזר ריש בלא¹¹ להא (= להבא) ואייתי מה דאייתי פרענא מקצת אבאם דילנא וריחא (ונייחא r.) מתיבתא ומרב צמח בן מרב פלטוי¹² גאתי (גאון r.) פום (= פומבדיתא) כתב בשאילת שלמר שביב¹³ בתבובתא (בתיובתא) דשאלתא קמייתא . . . ואבאם דהוה מייאש מיניה פי' הלואה.

To prove that אבאם means a 'loan', Samuel b. Jacob quotes from the writings of the 'heads' (of the schools), viz. Naṭronai wrote to Nathan b. Ḥaninah of Ḳairowān informing him that when El'azar Resh Kallah (= Alluf) arrived (from Lucena, see above, VII, 487) and 'brought what he brought (viz. a certain amount of donations for the school)¹⁴ we paid our debts and the academy was *pleased*'. Also Ṣemaḥ b. Palṭoi in the pamphlet of questions coming from R. שביב uses the expression אבאם in the reply to the first query.

VIII, 353. The Massoretic fragment is Or. 5554, A, fols. 3-4, and the lines are cited from fol. 4, recto, ll. 8-11. Verso, ll. 5-6, mentions another Massorite (Jer. 39. 3) רב סרים. אמא (= אמר) ו' נחום בר רב אבא חד כת' (= כתיב) וחד קרי. Yehuda b. Ezekiel as Massorite is also mentioned in

¹⁰ So Codex Cambridge, no. 376, fols. 233-6, which I have also consulted.

¹¹ Cod. Cambr. has only ריש.

¹² Cod. Cambr. מרב פלטרי, an obvious corruption.

¹³ Cod. Cambr. בשאלות שלמר שביב.

¹⁴ See also Pozn. in *Hakkedem*, II, Hebr. part, 98, no. 4.

fragments of the Firkowicz Collection in Petrograd (see *H. B.*, XIV, 105, and Neub., *Aus der Petersburger Bibliothek*, 104, top). On the Massorah of R. Naḥman (b. Isaac) see also Lewin, *Tahkemoni*, II (1911), 24 ff. Graetz (*Monatsschr.*, 1871, 49–50; 1872, 9) deals with the same Massoretic gloss, as cited from the above Genizah manuscript, and denies that there were separate Massoretic schools in Nehardea and in Sura. But this is now a well-established fact (see especially, Kahle, *Massoreten des Ostens*, 1913).

VIII, 353, top. An extensive volume of responsa by Hai is mentioned in T.-S. 8 G 7⁸, recto, ll. 12 ff. כתב אדונינו זל בשאלות בני מדרשנו בדרך (בכרך r.) הגדול בתשובת השאלה [והיא] א תשעים למנין השאלות והיא ממסכת דפסחים בפרק אילו דברים בפסח¹⁵ תא שמע דתנן סבין שנמצאת בארבעה [עשר שוחט] בה מיד כול כלשון הזה. The questions probably came from Kairowān where there was a celebrated house of study under Hushiel, Jacob b. Nissim, and his son R. Nissim. See, e.g., the superscription of ג"ה, no. 178, שאילתא אילין, דשדרו מרי ורבנא יוסף בן מרי ורב' ברכיה ורבנן דשביחין בי מדרשא דמר רב יעקב ראש כלא בר רב נסים וכו'. In the anonymous Halakic compendium (printed in *FQR.*, IX, 681 ff.) we also read (p. 706, l. 8) והשיב רבינו הא"י גא' זל לבית המדרש שלרבינו נסים זל בלש הגרית. Cp. also Pozn., *l. c.*, 104.

VIII, 358. Joseph b. Jacob b. 'Aukal is also mentioned in a fragment of an epistle (T.-S. 10 G 5⁸, brownish paper, both top and bottom torn) which evidently emanates from a Babylonian Gaon, either Hai or Samuel b. Hofni. The Gaon writes to a certain Alluf who may be identical with the scholar in Egypt who was the recipient of the letter discussed above (VIII, 349 ff.). ועתה ישים (recto, ll. 9 ff.) גדולנו אלוף יהי לעד אל לבו לחדש את חסדיו עם חידוש הדבר הזה

¹⁵ Pes. 70a.

והאגרת אשר אנו כותבין אל ק . . . (ק[ירואן] r perhaps) יקראהו בקהל וכאשר כתב כי עשה בראשנה אשר שלח [ש]תי אגרותינו א[ל] מקומות בן יעשה כי בראשונה נעשו פירות וכי גם אלה יעשו. והנה באה לפני[נו אגר]ת מחמדנו ומשוש לבנו ו[רוחנו] ידידנו מרי ורבנא יוסף בן מרי ורבנא יעקב אלוף בן עוכל יחיהו קדו[שנו וישמר]הו ויגוננהו ויהי ז[כר] אביו לברכה כי הבטיח אלוף יחי לעד בהבטחות יפות אשר אנו מקוים לראות[ו] וודאי כי בצדקת אלוף נט' רח' שמו אלהיו נשוא פנים. This Alluf evidently acted in his community as a representative of the academy. He would forward the Gaon's epistles to distant communities, and thereby induce them to contribute to the upkeep of the school. We read also of the Gaon's request to have one of his letters read in public before the congregation (see above, VII, 477-8).

IX, 140, top. The תנאים of the school are also mentioned by Sam. b. Hofni in his responsum to Fez (above, p. 438), ומן רבנן תנאי, and by 'Amram (ג"ל, no. 56). See also Graetz v⁴, 456, note 3, and Epstein, *Der Gaonäische Kommentar zur Ordnung Tohoroth*, 1915, pp. 40 and 157. Pozn., *Mschr.*, 1917, 228-9, doubts whether these scholars had the special function in the academy to quote the Baraitot whenever called upon. From our fragment it appears that their task consisted of teaching those young disciples who were 'freshmen' the Mishnah and Tosefta. Hence their name Tannaim. The אמוראי are also mentioned in a Gaonic document (published by Aptow., *JQR.*, N. S., IV, 25, II, 1. 3) ועל רבנן ספרי ואמוראי. The function of these scholars probably consisted of teaching and expounding the Gemara to more advanced students of the school.

IX, 159, l. 5. רחבה is a synonym for Torah, cp. Ps. 119. 96, Job 11. 9, and Erubin 21a. Likewise we read in the Ahima'as Chronicle (ed. Neub., *Med. Jew. Chron.*, II, 113, l. 3 from bottom) ותלמידי הרחבה. Cp. also Kaufmann, *Mschr.*, XL, 544, note 1.

IX, 160-1. I have re-examined the original of the document dated 1034 C.E. (*FQR.*, XVI, 576; cp. Fraenkel's remarks, *ibid.*, XVII, 384-6). The included deed from ẖairowān, dated 1032 C.E., ends as follows:

(verso, l. 4)

ותאריך אלכתאב יום ד ב [באל] ול שנת תשצב ליצירה
אלשהד הילל בר משה [כל]ף הלוי בר שלמה ננ משה
בר יהודה ואכרה קיום שהודה אלחנן ברבי חושיאל תנצבה
נסים בר ברכיה אברהם בן דניאל

Thus the witnesses were Hillel b. Moses, Khalaf Hallevi b. Solomon, and Moses b. Yehuda (the latter is not enumerated in Pozn., אנשי קירואן; no. 16 is to be rectified accordingly). The testatum (קיום) was signed by the members of the court, Elḥanan b. Ḥushiel, Nissim b. Berakhya, and Abr. b. Daniel. Nissim is very likely the brother of the well-known ẖairowān scholar Joseph b. Berakhya (see above, VII, 358, note 59; no. 20 in אנשי קירואן is to be rectified accordingly).

The end of the document, drawn up in Fustāt in 1034 C.E., is as follows:

(l. 12) תאריכהא יום ה כא באדר שני שמה לשטרות
רא הם החבר האל ב היש
תשצד ליצירה שהודה סהלן בן אברהם
ראש הסדר הח האלוף חמדת הנ[ש]
סעדיה בר אפרים החבר
יצחק בן אברהם משה בן אלעזר אברהם בן מצליח
צביאן כהן בר סעדיה

Accordingly Sahlān's father, Abraham, held the titles ראש הסדר החבר האלוף בחיר הישיבה, while Sahlān himself was styled ראש הסדר החבר האלוף חמדת הנשיאות. Indeed, in a marriage document (T.-S. 20. 6), drawn up in Fustāt, Elul 1348 Sel. = 1037 C.E., both father and son bear the above

titles. Sahlān is called in addition סגן הישיבה, a title also held by Joseph b. Berakhya in ẖairowān (above, VIII, 363). Sa'adya b. Ephraim was Sāhlan's uncle and also bore the title Alluf, as is shown elsewhere.¹⁶ Hakkohen b. Sa'adya is mentioned in a document dated Kislev 1355 Sel. = 1043 C. E. at Fustāt (מצרים, Bodleian 2876⁴¹). Now that we know Abraham b. Sahlān's titles, my suggestion (above, VII, 478, note 22) is fully confirmed that he was a correspondent of Hai Gaon.¹⁷ (All the signatories of the deed of 1034 lived in Fustāt and not in ẖairowan, and should therefore have no place in Poznański's אנשי קירואן.)

IX, 161, bottom. MS. Adler 4012 contains the end of Megillat Bustanai in Jewish Arabic with the following colophon:

תצניף מר ור נתן גאון ממא נקלה מן אבאה
הישיבות הקדושים [זל] בן [מ]עלמה חושיאל ריש
בי רבנן זצל נסך במצר סנה אלף שי"ב לשטרות

It seems that Nathan Gaon incorporated in his book what 'his teacher's son, Hushiel Resh bē-Rabbanan', reported to

¹⁶ See my work, *l. c.*, vol. I, p. 99.

¹⁷ In that letter (T.-S. 16. 318) the correspondents mention a previous epistle of theirs to the Gaon apologizing for the delay in sending the due contributions ('fifths' = חומשים, see above, VIII, 347, l. 3) from the (Babylonian) congregation for the upkeep of the school. The bearer of that letter was 'Attāt Hallevi b. ẖob. They also mention that certain prisoners had to be ransomed for a large sum. (Perhaps reference is made to the Jewish captives from Byzantium, who were brought to Egypt in the twenties of the eleventh century; see my remarks in *JQR.*, N. S., IX, 420). The previous epistle was dispatched three years ago and yet no answer arrived from the Gaon (l. 15 ff., continuing the Hebrew, קד סנק כתאבנא אלי חצרה גאוננו יחי לעד עלי יד מר' עטאף הלוי שצ בר טוב נע אעתדרנא ען תאכיר תגריד חאל אלאנמאם בתמאם בנא אלכניסה המאהא אללה ובמא טרק מן שבויים אשתריו בגמלה כבירה וגיר דלך ודכרנא ש[ו]קנא (ותטלענא אלי ורוד כתב חצרתה אגלהא אללה היום שלש שנים).

him in the name of the 'Fathers' of the schools. This work was copied in Fustāt in 1012 Sel. = 1001 C. E. Who this Nathan Gaon was is not clear (see Pozn., *Babylonische Geonim*, 109, for the latest discussion). Dr. Marmorstein's statement (מדרש חסירות ויתירות, 1917, p. 76) that Nathan Gaon was Ḥushiel's son, and brother of Ḥananel, needs no refutation.

IX, 167. T.-S. 10 G 5⁴, contains a quire of six paper leaves of which the tops are torn. Fol. 3, recto, l. 8 from below, reads as follows: (פסיר אלהלכה אלאולה | מן גמ (= גמרא) : דראש שנה פסרהא | רבנו נסים ביר יעקב | הרב הראש זק לב (= זכר קדוש לברכה) | חסב מא נקל ען אלסאדה אלאפאצל אלאגלא עמודי | עולם ויסודיו מצוקי ארץ אשר שת צור | חבל מרנו ורבנו חושיאל הרב הגדול המובהק | ינ צורו בעדו ויארץ ימיו ושנותיו ומרנו ורבנו . . . (fol. 3, verso) . . . | שמו וזכרו. | . . . | יתנהו בנפש צרו . . . | יסתירו. ומצדיו יהיה עזרו. ועליו יציין נזרו. | סאלה פי תפסירהא מ וז צדוק האח | היקר החביב לו עד לאחת השוכן בארץ ישראל | ישמרהו צורו ויתמכהו בימין צדקו. וישלים | חקו. ומיין הרקח ישקו. ומחלב תורתו יניקו. | ולנצח אל ישבקו. ובספר חיים יחוקקו וכל | אויב לו ימחקו. ולא ירפנו עד בלעו רוקו. והוא | מיד שאול יפרקו. ובתורה ובמצות יחזקו. ויהיה | מנת חלקו. בן מר יחיה נע | ארבעה ראשי שנים הן באחד ניסן ראש שנה | למלכים וכול' קאל רבותינו וכו' Thus R. Nissim was asked by his intimate friend Ṣadoḳ b. Yaḥya, who lived in Palestine, about the explanation of the first Mishnah of Rosh Hashshana with its calculations of the calendar. He sent Ṣadoḳ a commentary (in Jewish Arabic) as he had it from his great teachers Ḥushiel and X. (unfortunately the name of his second teacher is not preserved). The eulogies bestowed upon them no doubt emanate from R. Nissim. Of great interest is the fact that he had connexions with scholars in Palestine. Ṣadoḳ b. Yaḥya must have visited Ẹairowān previously; he may

have been a native of this town. The relations of the Gaon of Jerusalem, Solomon b. Yehuda, with Ḳairowān have been referred to above (IX, 163). This explains in the most natural way the fact that both R. Nissim and R. Ḥananel were thoroughly acquainted with the Yerushalmi. Very likely the connexions of Ḳairowān with the Holy Land go back to several centuries before. The study of the Yerushalmi in that great intellectual centre of Jewry in the Middle Ages, Ḳairowān, was hardly first introduced by Ḥushiel, who is supposed to have been a native of Southern Italy, as Eppenstein (*M Schr.*, 1911, 737, 741-2) states. Thanks to the Genizah finds, the obscurity that enveloped the history of the Palestinian Jewry from the Arab Conquest till the first Crusade is gradually being illumined. The academy of Jerusalem, which was in existence at least a century before Ben-Meir,^{17a} was well known to Jewry all over the Diaspora.

So far no responsum from Hai to Ḥananel b. Ḥushiel has been preserved, though there can hardly be any doubt that they were in communication with each other. A letter (T.-S. 8. 265, apparently in North-African cursive writing, damaged, right-hand top corner missing) contains some details of interest. It is addressed to (verso) לַכְּבוֹד גְּדוּלַת . . . קְרוּשֶׁת . . . בֶּר מֶרֶב שְׁמָרְיָה הַחֲבֵר . . . I doubt whether the well-known Ephraim b. Shemarya of Fustāt is meant as his father is never styled Ḥaber. On recto (l. 8 ff.) we read . . . וְנִפְסִי וְגַ[ע]ת מִן תֹּאכִיר כְּתַב סִידִי רֵאשׁ [אַלְמָתִיב] הָ וְכֵאן כְּתִבָּה וְצֵל . . . וְאַתְּמַעַת מֵעַ אֶל[כֵּת] יֵר בַּחֲצֵרֶת ר' חֲנַנְאֵל שֶׁ' פֶּאֶדְכִּי[ר] נִי אֶלְכֵתִיר . . . בְּסֵא. לָה עֵנָה וְאֵדָא כֵּאן גְּרַבָּה יִנְמַע לְרֹמִי קְרִיב לָה פְּגִמַע לָה מִן סְרִלְיוֹן . . . נִמַע כְּבִיר וְאַלְדִּי גֵאָו אֶלְסִנָּה מִן אֶלְרוֹם עֶרְפּוֹ אֵן עֵנֵד וְצוּלָה סֶאֶפֶר פִּי אֶלְכֵר

^{17a} See especially my work, *l. c.*, vol. I, pp. 50 ff.

ידיד אלי בארי כרגו עליה לציון ולם יבקיו לה חיי שעה פאתמרת לדלך
 אך כאנת אלניה אלגן]מ]ע לסירי ראם אלמתיבה פאתסכב אלחבם אלכחיר
 וקמע אלגירה ולא עלתה בידו ומא כפי ענך מא תכלמו במצר בסכב אל
 אדראן אלדי אשתרית מררב ר' אלחנן ננ' ואנא אנסך גואבה אלי ושאלו
 שתי שאלות מן הישיבה ובוקש לכתוב תשובתן כאחת בדרך קצרה בלשון
 ישמעאלי ונכתבו מבית דין הגדול מלפני האוי ראש הישיבה בן שרירא
 ראש הישיבה אחרי אלולתין^{??}.

The epistle probably emanates from Kairowān. The writer was anxiously awaiting a letter from the 'head of the school' (Hai? But if his correspondent was Ephraim b. Shemarya, then the Palestinian Gaon Solomon b. Yehuda might be meant). On arrival of the letter he met with a certain al-Kathir at Ḥananel's residence. We read interesting details about collections of money for 'the head of the school' (either Hai or Solomon b. Yehuda of Jerusalem) in Rome. Unfortunately the representative of the school was robbed on board ship which was captured by pirates while making for Bari (the locality סרליין (Serraleone?) I could not identify), and thus the Gaon derived no benefit by the generosity of the Italian Jewry. The writer inquires of his correspondent in Miṣr (Fustāt) concerning certain pamphlets which he sold to Elḥanan, no doubt the son of Shemariah. When the letter was written Elḥanan was no longer alive. Finally, the writer mentions that two questions were sent to Hai with the request to reply concisely in Arabic. This the Gaon did. Probably the queries came from R. Ḥananel and his circle.

As to the latter's relations with Egypt, it is of interest to cite here a leaf in the T.-S. Collection containing two damaged paper leaves of responsa. Fol. 1, recto, concludes a pamphlet of fourteen Gaonic responsa of which nos. 12 (end)-14 are preserved. No. 13 reads ותו רבי אולי בכתב

speaks of the grandfather of his grandfather, four generations or about a century before him, i.e. the end of the ninth century. We learn thus of a communal authority in Spain wielding very great power, no doubt by permission of the government. See also Ibn Daud (in Neub., I, 79) ער שנתחזק הנשיא ר' יוסף . . . וגרשם (viz. the Karaites) מכל מבצרי קשטילייא חוץ ממבצר אחד קטן שניתן להם מפני שלא רצה להרנם שאין דנים דיני נפשות בזמן הזה. It seems had the Nasi wished, he could have ordered their execution and would have been authorized by the government.²⁰

X, 142 ff. See also Responsa of R. Bešalel Ashkenazi, no. 40, where an interesting responsum of R. Solomon b. Adret (בתשובות כתיבת יד שלא נמצא בדפוס) is cited on this question whether the help of the non-Jewish court may be invoked in case the defendant flouts the decision of the Bet-Din.

X, 144 ff. From the formula of a deed of sale for slaves in Hai's Kitab al-Shetarot (in Wertheimer's גנוי ירושלים, III, 3a) we learn the respective nationality of the slaves in Jewish households (no doubt in Arabic countries), either Indian, Slav, Byzantine, Lybian or זנגאה (?). חובנית ליה בהון. עבדא הנדואה או כנעניאה או רומאה או לובאה או זנגאה דאית לי.

X, 310 ff. Concerning the change of the Talmudic law permitting movable property to be taken away from orphans in payment of their father's debt, Bodl. 2643²⁶ contains a responsum of Sherira which deserves to be cited

²⁰ Cp. also Maimonides, Mishnah Comment., Hullin 1. 2, ודע שמסורת בדינו מאבותינו בקבלת דברים רבים מרבים שזמנינו זה בזמן הגלות שאין בו דיני נפשות אין זה אלא בישראל שעבר עבירות מיתה אבל האפיקורסים והצדוקים כפי רוב רעותיהם הורגין אותן לכתחלה כדי שלא יפסידו את ישראל ויאבדו האמונה וכבר יצא מזה הלכה למעשה באנשים הרבה בארצות המערב כולן.

here. Fol. 145a has the following superscription ואלמסלה ואלה . . . ה, and on the margin we have the letter כ indicating that it formed the second one in the pamphlet. It begins ושאלת ראובן חיי למרנא שבק והיו עליו חובין לכמה בני אדם ישראל וישמעאלים מהם בשטרות ומהן על פה ולא הניה אילא דבר מועט והוא מטלטלין הלך א[חד מן] הישמעאלים אצל בי דואר שלנוים וכו'. The scholar, who wrote the question, discusses the new point whether movable property is also alike immovable property with regard to the priority of the claims as indicated by the respective dates of the creditors' bills, and he cites a responsum of R. 'Amram to R. שבים (read שביב, no doubt identical with the Ḳairowān scholar dealt with above, pp. 445 f.). He writes (fol. 145, v., l. 14), דאית לן תשובת שאלה, ששאל רב שבים זכ לך מלפני מר רב עמרם בר שישנא גאון זאל (r. זאל) וכן (fol. 146, r.) שאל ראובן הוה מסקי ביה שמעון ולוי ויהודה ממונא ושביב ולא שבק מקרקע אילא מטלטלי ואתו למישקל מינהון והוה בהון דקדים דשטריה (שטריה r.) מן חבריה היכי שקלי ביון דכתבינן מקרקעי ואפילו מטלטלי הוו להו מטלטלי כמקרקעי ומאן דקדים שקיל או דילמא האיי דכתבינן מקרקע ומטלטלי למישקל אבל קדימה במטלטלי ליכא וזו תשובתה אידע דמן פנן שנין דאשוו תרתין מתיבאתא וראש גלותא בהדיהון לאנבווי בעלי חובות וכתובת אשה ממטלטלי וכתבו כתבי לכולי עלמא דהכין אסכימנא וכל דיאנא דלא דאין הכי (fol. 146, v.) מיתעבר מן דוכתיה ונהגו כל ישראל לאנבווי בעלי חובות וכתובת אשה מן מטלטלי והשתא הוו להו מטלטלי כמקרקעי ורבנא כאתיב אבל קדימה במטלטלי ליכא לא שמיעא ליה לרבנא בהדא תקנתא דתקינן תרתין מתיבאתא לידע רבנא דמטלטלי כמקרקעי וכל דקדים שטריה גאבי ואפילו מן מטלטלי ואו (= ואי) שני וגאבי לא חוקינן (חוקינן r.) מיניה דהכין הלכה בעל חוב מאוחר שקדם וגבה מה שגבה גבה.

As this change of the Talmudic law took place in 787 C. E. (above, X, 310, note 223), R. 'Amram's responsum was written in 870 C. E. (eighty-three years afterwards). The Sura Gaon decided that movable property is fully alike

to immovable property as regards priority of the claims (קדימה). Now the questioner cites a responsum of Sherira to the Magreb opposing this view. He writes ולענין שאלה זו מצאנו תשובה שכתבוה אדנינו מ'נ רח' (= נטריה רחמנא) לבני המערב וזה תורפה וכו' (fol. 147, v., l. 14) והיכי שבק אדנינו תקנתא והורה בזילתה ואי נימא שבית דין של אחריהן בטלוה (fol. 148, r.) אמאי לא הוכיר אדונינו דבר זה בתשובתו. ודאמ' (= ודאמר) מר רב עמרם זל הלכה בעל חוב מאוחר שקדם וגבה מה שנבה גבה ייט לנו תשובה ממר רב חנניה גאון זל אבי אדנינו (i.e. Sherira's father) בבעל חוב מאוחר שקדם וגבה מה שנבה לא גבה וכו' נייעיין מרנא בשאלה זו וישיב תשובתו כוסתו.

Interesting is the beginning of Sherira's reply: עיינא בכל מאי דכתבת וקושיי דקשו לך כולהון אית להון פיריקי מבהקי (fol. 148, v.) ודילנא עדיפא מן מר רב עמרם ולא תיסתבר לך דלאוקומי מלתנא קאמריננא אילא או אישכחנן טעמא בי מר רב עמרם הדרנן לואתיה והא כמה מידאני דאנחנא הויא אית לנא בהון סבארי וכד איתבררו לנא בהון טעמא הדרנא וכד מעאינת במילתא מיסתלקי ספיךך וקושיי דקשו לך דתקנתא דאמרה רב עמרם קיאמת היא וליכא בכל יישראל מאן דפליג בה ועד השתא מעשים בכל יום קא נהני בה בכל אתרואתא אילא מיהו לא שיכא בהדא מלתא דאמרנא דכד מאמית לסוף סוף תקנתא הכין היא לשוויאנין למטלטלי כמקרקעי ומדעם אחרינא (fol. 149, r.) ליכא 'בתקנתא וכו'.

This independent, and at the same time modest, mental attitude taken up in his responsum well behoves this great representative of the Babylonian Gaonate, Sherira.

X, 327, note 248. However, Harkavy points out (היהודים 31, note 93) that it is not likely that Jews from one district spoke all these languages. He therefore suggests to read for אלראדאניא, אלראבאניא, Rabbanite Jews!

X, 324, note 257. This Gaonic responsum is evidently referred to by Alfasi (cited in תמח' ישרים in תמים דעים, ed.

Venice, 1622, no. 63, fol. 14 a, top) (i.e. רי"ף) עוד כתב הרב זל' דהיבא דשדר ליה חבריה כתבא ואמר ליה שדר לי ההוא מידי דאית לי גבך ויהבינחו ניהליה לא מחייב באחריותן דהבין נהגו האידנא תנרי וקיימא לן כפי הא דמנהגא מלתא היא והבין שדרו ממתיבתא וכו' (אמר אברהם). See also Ibn Daud's remark

X, 340. Cp. also 'Anan in his *Book of Precepts* (ed. Harkavy, 116, no. 51), who conforms here with the general custom in the Rabbanite communities, קא רוים לך דכל היבא דאיבא נמי כינפא דישראל קבעינן ביה דינא למידן מילי קליחא כל מילי דלא אית בהון קטלא כי היכי דלא ניפק דין ישראל במלכות. ובתייא נסבי למדי דינא מאן דגמיר דכתיב אל הזקנים טפי בי הי בזקנים וכו'.

X, 344. The shaving of the head as a punishment was also practised in Egypt in the Arab period. See Graffin-Nau, *Patrologia Orientalis*, X, 546, 'Ya'kūb b. Ibrahim, the representative of a prince of the Muslims (i.e. the governor appointed by the caliph), took an unjust judge and paraded him through the streets of Miṣr (= Fustāt) after shaving his beard and baring his head'; this took place after 849 C.E.

X, 345. The communal prison is also mentioned in the *Responsa* of R. Joseph ibn Migāsh, no. 122 (in the question), וחייבו אותו ברורי המקום שישא אותה ונתנו אותו בבית הסוהר.— About the passage in Sanh. 9³, see further Aptowitzer, *M Schr.*, 1908, 194–7; 1912, p. 321, note to p. 28.

X, 345 ff. As regards the oaths imposed by the Bet-Din, it will be of interest to cite the following passage from T.-S. 8 F 3⁵, consisting of two leaves, the first of which contains an Arabic glossary of Talmudic words. There is a gap between fols. 1 and 2. The latter begins as follows:

לחבורת [מ]צוה ולא לחבורת הרשות ושטופו כאסא בתריה ונהגו ביה מנהג גוים וכל בנישתא דחזיה ליה לפתיחא ואחרמתא אלין ולא משמתא

ולא מחרמא בהן ו... [מ]נקוטה בנפשיה ואחרמתא דא כת' ²¹ ביום
 פל' ²² ואוכד מתחרם ההוא פל ולא מקבל דינא אית רשותא לכל בר
 יש' ²³ דתבע ליה בעל דין דיליה למוזל מסהד ליה בנוים וליכא בשום מידעם
 דאגרא רבא אית ליה במילתא למישהד עליה דלא' ²⁴ יקביל דינא ומהדר.
 קל' ²⁵ שבעות כד הוה משתבע הוה אמרינא ליה לא על דעתך אנו
 משביעין אתך אלא על דעתנו משביעין אתך ²⁶ ואשתבענא בשם המפורש
 ביי ובאהיה אישר אהיה בשם יי צבא אהי יש' ²⁷ וכל מאן משנו מן עניאני
 אילין לא יהא לו חלק באהי יש' ובתורה ויאסרו עליו כל פירות שבעולם.
 זו שבעה חמורה בחיי יי צבאות אהי יש' יושב הכרובים אהי מערכות
 יש' שאמר ליש' בהר סיני מתוך הענן והערפל אנכי יי אלהיך ²⁸ ושנגלה
 למושה בחיר אל מתוך הסנה ודבר עמו אני אהיה א' ²⁹ אהיה וישדבר עמו
 מאהל מועד ושנתן לו שש (verso) מאות ויג' מצות ושגער בים ויבשהו
 ושהוא ממית ומחיה חוקר לבבות ובוהן כליות וצופה [עתידות ו] חפשי
 נסתרות ומפענח צפונות ומגלה עמוקות ומבין תעלומות והוא יי חי וקיים
 לעולם ועד.

The first paragraph is the end of the document known as פתיחא and אחרמתא (both combined, see above, X, 349). It is similar to the one published by Aptowitzer (*JQR.*, N.S., IV, 27, top), having, however, the addition that in case the person excommunicated does not comply with the decision of the Bet-Dīn, the plaintiff may invoke the help of the non-Jewish court, and co-religionists may give evidence there (see above, X, 143). The last two paragraphs contain the introductory formulae of the lenient and the stringent oaths. They evidently date from the time when oaths were still administered (above, X, 345).

In conclusion, some addenda of hitherto unpublished

²¹ כתיבא. ²² פלוגי. ²³ ישראל.

²⁴ The dots beneath and above א seem to indicate that it should be deleted. Hence read 'דליקביל' in order that he should accept'.

²⁵ קבל would be more correct.

²⁶ Cp. Yoma 18 b and 19 b, top.

²⁷ צבאות אלהי ישראל. ²⁸ אלהיך. ²⁹ אישר.

Gaonic responsa (apart from those cited before) are given. So far no responsum of the Gaon Ḳimoi b. Aḥai (of Pumbedita, 898 C.E.) was known. In the important Halakic compendium (*ṬQR.*, IX, 681 ff.) responsa of R. Ḳimoi are mentioned twice (pp. 684, l. 2 ff, 688, bottom), but their author may have been R. Ḳimoi b. Mar R. Ashi (of Sura, 829 C.E.; cp. also *Geonica* I, 104, note 1). T.-S. 10 G 5¹, contains four leaves, brownish paper and ink, torn and damaged. Fol. 4 b, l. 6 from below, reads יליף מרנא . . . (evidently end of question which begins on fol. 3, verso), שאלתא דא נפקת קדמנא לבאבא דמתיבת' לבית דינא דמרינ' ורבנ' קימיו גאון חמ' אד' (= חמוד אדוננו) אחי גאון ואם כן [ה]אכי דכת' בשאלתא דא דאילו הנך אינאשי דשמעו מימרא דראובן ושמעון ושהידו עליהון וכו'. As similar introductory phrase of a responsum we find in גמו"מ, no. 76, and ש"ץ, 48 a, no. 24. In both cases the question ends with יליף מרנא, while the answer begins א"כ הוא כדכתיב (כדבריכם) בשאלתא דא (see Müller, *Einleitung*, pp. 14, note to ש"ץ, no. 24, and 170, note 13). They are attributed to Samuel b. Ḥofni, but who knows whether their author was not really Ḳimoi b. Aḥai?

Another leaf (T.-S. 10 G 5², verso; recto blank) begins בשמ' רחמ' תשובות מגמועה שאלתא דמרנא ורבנא יהודה ראש מתיבתא נט' רחמנא ראובן נתן לשמעון זהובים להולכים עמו בשיירא. This Gaon is Sherira's grandfather.

The Babylonian Geonim usually wrote their responsa in Aramaic. Only when the questions were written in Arabic the reply would be in the same language. See, e.g., ג"ה, no. 371, where Sherira and Hai write וגם צוינו שאלתא דא נפקת קדמנא לבאבא דמתיבת' לבית דינא דמרינ' ורבנ' קימיו גאון חמ' אד' (= חמוד אדוננו) אחי גאון ואם כן [ה]אכי דכת' בשאלתא דא דאילו הנך אינאשי דשמעו מימרא דראובן ושמעון ושהידו עליהון וכו'. T.-S. 8 G 6², contains a pamphlet of Gaonic responsa in Jewish Arabic (six leaves). Fol. 3a begins שאלות אילו לפני אדונינו מאיר עינינו. נר דתינו. אור עולם נר ישראל האי ראש הישיבה שלגולה בן אדוננו

שרירא ראש הישיבה שלגולה בן אדוננו חנניה ראש הישיבה שלגולה בן אדוננו יהודה ראש הישיבה שלגולה רוצים אנחנו בעת שיגיעו אל הישיבה ויראו לפניו ויקראו באזניו יצוה וישיב תשובתן בלשון ישמעאלי כאשר המה כתובות בלי איחור ובלי עיכוב ברצון שמים ילמדנו אבינו. There follow the questions and responsa in Jewish Arabic.

On the other hand, scholarly correspondents of the Geonim endeavoured to write in Aramaic. Thus in ג"ה, no. 325 (from Kābes to Hai, dated 1016 C. E.), the writers, so to say, apologize for sending the legal question in Arabic because it reached them so from the parties concerned in the case (see p. 311, בלשון הגאון לפני אדונינו הנאון בלשון, Bodl. 2851²¹ (fols. 45-9, important for the wording of the Talmud text; several passages translated into Arabic) concludes (fol. 49 b, l. 10 ff.), ולפום דשאלתון מן קדמנא בלשון ארמית כמנהאנא דרבנן אף אנחנא נמי פקידנא למהוה תיובתיכון בן דמן שמיא לזיכין יתכון למיסבר ולאובוני כהלכה למשה מסיני ולמידע דבר דבור על אפניו ויפתחו לנו ולכם שערי חכמה ותורה ודעת ותבונה והשכל ונזכה כלנו לכ[ת]ר תורה וללמוד הלכה מפי מורה צדק כנתה³⁰ בקרוב וכתיבא תיובתא דאילין שאילאתא ביר[ח] ני[סן] דשנ[ת] אלפא ומאתן ותשעין ותמני שנ[י]ן.

י[שע] רב[ח] חזק. This responsum, written in 987 C. E., no doubt emanates from Sherira.³¹

So far no son of Hai is known at all. But Bodl. 2682¹

³⁰ i. e. 'of Israel' (cp. Ps. 80. 16, וכן נטעה ימינך).

³¹ For similar endings of responsa pamphlets by Sherira and Hai see ג"ה, nos. 36, 47, 67, 208, 219, 264, 314, 328, 344, 369, 418, 442. In this connexion it is of interest to cite responsa by a certain scholar, Sa'adya b. Yehuda (probably of Egypt), who apologizes for replying in Arabic. He would have wished to write in Hebrew but had to make use of the language in which the questions were drawn up. The responsa are contained in T.-S. 8 G 7⁶, consisting of four paper leaves, large square hand, of the eleventh or twelfth centuries. Fol. 1, recto, begins כוזהר הרקיע וגו' (Dan. 12. 3). מני אהובך סעדיה בר יהודה השואל תמיד על שלומך ושלום קהלך המקום יתמידהו אמן. דע אדוני כי אהבתך בלבי

contains a treatise by R. Hai (fols. 1–2), then (fol. 3 a, in different handwriting) a responsum about the second day of the Festivals (י"ט שני, cp. ג"ל, no. 1), no doubt also by this Gaon. On fol. 4b, end, there begins another responsum by him, in Arabic, addressed to Elḥanan (b. Shemarya, see above, p. 435), ולא איצא זל פי מי כתאב לז אלחנן זל. It was in reply to Elḥanan's question about this very problem of שני ימים טובים. The responsum ends on fol. 6 b, followed by another decision חשובה לבנו יוסף הרב הגדול זל לב ולגבי שני ימים

דבוקה ואף על פי שגופים נפרדים אנחנו הלבבות ביהד הם צפונים כמ' שב' כמים הפנים לפנים זל (Prov. 27. 19). והגיע כתבך הנעים ליד אהובך ושמחתי בו ובחכמתך ההצפונה (הצפונה r) במחבואך וקריתי אותו מתחל ועד תכל ואם קצרתי ולא תרגלתי (i. e. hastened) מלהשיב חמיטהו (תמיטהו r) לכף זכות וכתבתי בנחיצות ורציתי להשיב שאלתיך] בלשון קודש ראיתי בכתבך כתב לי בלשון ערבית והנה תשובות שאלתיך.

The responsa touch upon several topics. The following details are excerpted here: ואמא מעשה בת יפתח פאן ענדי תשובות שאלות לרב (1, verso) סעדיה והרה מסלה ואחדה מנהם מ... (2, verso) [ואמא] כבר אלדפין... וסאלת פי רגל חכם מן בלד אלרום פקאל הדא פעלנא פיהא אלא אן מא ראיתחא ללחכמים ולא ענדי פיהא שי אלא אני אנא נוגה מסאיל ערצת לי לז שמואל נעמלהא ואחדה מנהם ונסלה ען גריפא וקטומא פאדא גואבני עליהא נכתב אליך גואבהא... ואמא הנן החמה סאלו פי אמרהא לבן שטנאש פקאל הנן החמה אדראר חומרא פי אלסמא.

A new set of responsa begins on fol. 3, recto: ברכות תתקין: ור... השלום נזקף... האהוב עלי ר יצחק בר יוסף הירדע בר אלוקאף. כתבתי בנחין להודיע לאחי שבא כתבך הנאה עלי המעוטר בנועם השפה ועמדתי על מה שכתבתה בו בשאלותיך ורציתי להשיב בתשובתי הנה בלשון הקודש אמרתי שמא לא ירצה והנה תשבתי (תשובותי r) הן בלשון ערבי.

Concerning a certain question our scholar writes: וסאלת פיה לז מנחם ואן ארדת נוגה לך, Fol. 4, verso, ends, אלרומי ודכר לי כמתל הדא איצא הלכת שחוטה מפסרה מעה הלכת טריפות ואלתנקה אן שית ללחכמים ואן שית לז סעדיה או נוגהם אליך אתנינהם.

טובים אנו אומרים שתנאי היה כרוך עליהן מימות יהושע בן נון כשנכנסו לבנו (cp. ג"ל, p. 5 a, l. 11, from below). Most likely לבנו is a scribal error for לרבנו! Probably R. Joseph ibn Migāsh is meant here.³²

Finally, three interesting responsa from a collection composed by Hai are edited here. T.-S. 8 G 5 contains

³² However, the author of the above responsum may be identical with a celebrated scholar to whom a question was addressed from Fustāt in 992 c. E. T.-S. 8 G 7² consists of two paper leaves, of which the first seven lines of fol. 1, recto, conclude a responsum dealing with the question of the number of days between Passover and Pentecost (שבוע שבעות). From l. 8 ff. we read, נשלח מלפני הרב יוסף רכב ישר ופרש עמוד הימני פטיש החזק נר שלא תכבה יתד שלא תמוט אור שלא ידעך . . . ראובן הוציא שטר לפני בית דין והיה כתוב על שם אביו . . . חצר ובתים שיש לו בכאן בפסטאט מצרים והיה זמנו שנת רפ למנין שטרות וטען ראובן זה עכשו שנת שג לפני בית דין . . . (2, r., l. 23) ויפרש לנו הדבר בחכמתו הרחבה ובינתו הרבה. ודעתו הישרה ואינו אל יקפה שכר אדו בעולם הזה ולעולם הבא: שאלה זו יצאת לפניי ועינתי בה אם בן הוא כמה שכתוב . . . בה דראובן אפיק שטרא לקמי בי דינא וכל הענין כולו . . . The responsum is not yet completed at the end of fol. 2, verso. This Rabbi may be identical with Joseph ibn Abitur who has been compelled to leave Spain, and who during his wanderings stayed for a time in Egypt (see my work, *l. c.*, I, pp. 67 ff.).

The well-known responsum by R. Hai (ג"ל, no. 1, referred to above) really formed the thirty-first of a pamphlet. This we learn from T.-S. 8 G 7⁷, consisting of four paper leaves. On fol. 4, verso, we read לר האיי מן דרג הדר עם הנכרי (Erub. 61) אלמסלה אל לא מנה והא (as is ג"ל) דאיתמר שני ימים טובים של גליות וכו' (ג"ל) (as is ג"ל). Fols. 1-4, verso, contain an Arabic responsum, the beginning of which is missing, dealing with several topics, viz. with Hezekiah's Passover (2 Chron., ch. 30), with the query of Sharezer and his companions about the fasts (Zech., chs. 7 and 8), and with Purim. On fol. 4 a, middle, we read: ווצף רבינו סעדיה גאון זל: בעין דלך בקו (= בקולה): פור שבעלו מפילו להתימתו. צלוב מגר צולבו על כי רמהו. קצוי ארין הנהיה כנפלאות אשר לי נצמחו ראו בגוים ויי יפתה (fol. 4, verso) This responsum, concluding with (fol. 4, verso) ויי יפתה, is probably Gaonic. A couplet from a liturgy by Sa'adya on Purim is cited.

six paper leaves of responsa. Between fols. 3 and 4 there is a considerable gap; on fol. 3 a one responsum is marked as 6, while another on fol. 4 a is given the number 23. We reproduce here nos. 23, 24, and 25, the last being incomplete. R. Judah al-Barceloni evidently had the first two responsa in front of him, stating expressly that they were by Hai. But he excerpted from them only the decisions, leaving out just those parts of interest for modern readers (ס' העתים, pp. 277-8; ג"ל, nos. 92-3; ש"ח, no. 84, seems to have been copied from ס' העתים). The third responsum deals, where the MS. breaks off, with the Massoretic passage of Ned. 37 b, which formed the subject of another question from Ḳairowān to Hai (ג"ה, no. 210; see ס' העתים, p. 257 f., where the same responsum is expressly quoted in the name of this Gaon). But our responsum was obviously written on another occasion.

Hai was asked (no. 23) about the difference in importance between the Targum on the Pentateuch and that on the Prophets, and also why that on the Hagiographa was hidden. It is said that the last Targum was hidden because therein the time of the advent of Messiah was revealed. But the questioners possessed a Targum on Esther wherein no allusion was made to this topic. They inquired who the author of the Hagiographa Targum was, and contended that its Messianic passages ought to have been expunged while leaving the remainder for posterity. The Gaon in his reply denies that the Targum on Esther emanates from Jonathan b. Uzziel, and states that in Babylon (Bagdād) there exist various recensions of this Targum, some having many Agadic additions while others are literal translations. We possess two Targumim to Esther, the so-called הרגום שני being mentioned already in Masek. Soferim 13.6. A question concerning

the Palestinian Targum (on the Pentateuch) was addressed by Jacob b. Nissim of Ḳairowān to Sherira and Hai (ג"ה, no 248, cp. also ס' העתים, p. 256, end of § 175). It is likely that the above inquiry also came from Ḳairowān.

In no. 25 the Gaon deals with the reason of the word *יששכר* being spelt with a double שין, and with the larger question why the letter שין should so frequently do the function of סמך (namely ש = ס). He quotes Ben Asher and Ben Naphtali (to my knowledge for the first time in his responsa), and also פרק חסרות ויתירות (known to us as *Midrash Haserot Wiserot*), the text of which had different versions.

(Fol. 4, verso, l. 7.)

וששאלתם כן

מה מעלה יש לתרגום התורה ממעלת תרגום
 10 הנביאים אם יש ביניהן כלום ולמה נגנו תרגום
 הכתובים אם בשביל שאומרים כי יש בו גילוי
 הקץ הנה תרגום מגלת אסתר עמנו ואין בה
 זכרון לקץ. ועוד מי תרגם הכתובים ואם
 בשביל הקץ הדבר שיש בו זכרון הקץ יגנו
 15 והשאר ישאר. ועוד תרגום של תורה חובה
 לאומרו בבית הכנסת על הספר אם לאו. ותרגום
 התורה ³³ חובה הוא אם לאו. תחלה אין אנו
 יודעים שיש מעלה לתרגום שלתורה על תרגום
 של נביאים אלא כדי מה שיש מן המעלה
 20 לתורה גופה על הנביאים גופן ותרגום שלתורה
 ושל נביאים הרי אמרנו בס' ³⁴ אמ' ר' ירמיה
 ואיתימא ר' חיה בר אבא תרגום של תורה

³³ From the answer (fol. 6, r., l. 2 ff.) it appears that Hai was also asked about the Targum to be recited together with the Haftarah. Hence read here ותרגום שלנביאים or ותרגום ההפטרות which comes to the same.

³⁴ Meg. 3 a.

(fol. 5, recto)

אונקלוס הגר אמרו מפי ר' אליעזר ור' יהושע
 תרגום שלנביאים יונתן בן עוזיאל אמרו מפי
 חגי זכריה ומלאכי נזדעזעה ארץ ישראל
 ארבע מאות פרסה על ארבע מאות פרסה
 5 ויצתה בת קול ואמרה מי הוא זה שגילה סתרי
 לבני אדם עמד יונתן בן עוזיאל על רגליו ואמר
 אני היא שגיליתי כתריך לבני אדם ולא לכבודי
 ולא לכבוד בית אבא עשיתי אילא לכבודך כדי
 שלא ירבו מחלקות בישראל ביקש לגלות תרגום
 10 של כתובים ויצאה בת קול ואמרה לו דיך
 משום דאית בהו קין משיח ומקשינן ותרגום
 של תורה אונקלוס הגר אמרו והא אמר רב
 איקא בר אבין אמר רב חננאל אמר רב ויקראו
 בספר תורת האלהים³⁵ זה מקרא מפורש זה
 15 תרגום ומפרקינן שכחום וחזרו ויסדום
 ואשר [א]מרתם הלא תרגום מגלת אסתר
 עמנו אין בו זכרון לקין אטו קין במגלת אסתר
 מאי עאביד או³⁶ איכא למימר בדניאל הוא
 דאיכא למימר או בשיר השירים או בתילים
 20 ועוד תרגום שאצל[כם] מניין לכם מי אמרו
 כי מכדי יונתן בן עוזיאל לא גילה תרגום

(verso)

הכתובים כל עיקר אין זה המצוי אצליכם אילא
 תרגום שלהדיוטות ולא עוד אילא שיש כאן
 בבבל תרגום אסתר כמה גונים משונים זה
 מזה אחד יש בו תוספות הרבה ומדרשות
 5 ואחר אין בו ואשר אמרתם למה לא נגנו
 מה שיש בו זכרון הקין והנישאר נשאר³⁷ ישמא

³⁵ Neh. 8. 8.³⁶ אי. א.³⁷ Read ישאר.

אילמלי שמנעתו בת קול מלגלות כלום מן התרגום
 של כתובים היה עושה כן וכיון שעל ידי בת
 קול נמנע אין לנו לישא וליתן בעלת הדבר
 10 כי השמים יודעים בתקנת[ם] שלבני אדם ובני
 אדם אינם יודעים איזה טוב להם אלא מה
 שיודעים מן השמים וכך אומרין כי גם מפי
 חגי זכריה ומלאכי שמע יונתן בן עזיאל תרגום
 כד שלכתובים וששאלתם
 15 חובה הוא לתרגם בבית הכנסת על
 הקורא בספר התורה ועל ההפט[רה] ודאי
 מצוה היא תחלה כי היא הלכה ירושה מימות
 הנביאים ועוד פירשו [ב]משנתינו חקי התורגמן
 דתנן ³⁸ מעישה ראובן נקרא ולא מתרגם מעישה

(fol. 6, recto)

עגל הראשון נקרא ומתרגם השיני נקרא ולא
 מתרגם וכן חוקי תרגום שלנביאים בציבור
 שהיא ההפטרה • דתנן ³⁹ הקורא בתורה לא יפחת
 מישלשה פסוקין ולא יקרא למתרגם יתר מפסוק
 5 אחד ובנביא שלשה ואמרינן עלה כגון כי כה
 אמר יי חנם נמכרתם כי כה אמר יי אלהים
 מצרים ירד ע[מי] בראשונה • ועתה מה לי פה
 [נא]ם יי • ⁴⁰ ותנן מדלגין בנביא ואין מדלגין בתורה
 ועד כמה ידלג בנביא עד כדי שלא יפסיק
 כה 10 המת[ורגמן] • ואישר שאלתם
 מה טעם יכתב ישעכר בשני שינין
 דעו כי שני פנים קוראין אותו יש שקוראין

³⁸ Meg. 25 a.³⁹ Meg. 23 b, bottom, 24 a, top.⁴⁰ Isa. 52. 3-5.

יִשְׁשַׁבֵּר אֶחָד שֵׁין וְאֶחָד סִמֶּךְ • וַיֵּשׁ שְׁקוֹרְאִין
 יִשְׁשַׁבֵּר סִמֶּךְ בִּלְבַד וְאֵלֶּה מִנְקֵדִין אוֹתוֹ שְׁנֵי
 15 דְּרָכִים • [יֵשׁ שִׁמְ]נִקְדִין אֶת שְׁנֵיהֶם כְּתוּרַת סִמֶּךְ כֵּךְ
 יִשְׁשַׁבֵּר [וְאֶף] אֶל פִּי שְׁאִין מוֹצֵאִין בִּלְשׁוֹן אֵילָא
 אֶחָד וְזֶה [בִּ]ן נִפְתְּלִי וְסִיעֵתוֹ • וַיֵּשׁ [שִׁ]מְנִקְדִין
 עַל הָרֵאשׁוֹן כְּתוּרַת סִמֶּךְ [דִּ]ן וְסִימָן הַקִּמְיָן תַּחַת
 הָרֵאשׁוֹן [וְהַשְּׁנִי] כְּאֵלּוֹ [אִי]ן מִנְקֵדִין אוֹתוֹ לֹא⁴¹
 20 לֹא מִלְמָ[עֵלָה וְלֹא] מִלְמָטָה וְזֶה הוּא מַעֲשֵׂה בֵן
 אֲשֶׁר וְסִיעֵתוֹ •⁴² וְלַעֲנִין מָה שֶׁאִמְרַת לְמָה כֵּן ת[כְּתַב]

(verso)

אוֹת וְקוֹרִין אוֹת אַחֵר כְּגוֹן שְׁכַר שִׁשׁוֹן שְׁמַחָה
 מַעֲשֵׂר וְכִיּוֹצֵא בֵּהֶן • יֵשׁ בְּמִשְׁנֵיּוֹת הַחִיצוֹנוֹת
 מִשְׁנֵה שְׁנִקְרֵאת פֶּרֶק חֲסֵרוֹת וְיִתִּירוֹת וְאִינָה
 מִסּוּיִימַת נֶסֶח אֶחָד אֵילָא מִשְׁנֵה הִיא וַיֵּשׁ בָּהּ
 5 מִדְּרָשׁוֹת הָרַבָּה בְּכַתּוּבִים הָרַבָּה וְאוֹתָן הַמְדַּרְשׁוֹת
 כְּגוֹן הַגְּדוֹת הֵן וְאֲשֶׁר אָנוּ אוֹמְרִין דְּבָרִים שִׁישׁ
 לְסִמּוּךְ עֲלֵיהֶן כִּי אֵילּוֹ בְּמִקְרָא ה[יֵן] כּוֹתֵבִין שְׁכַר
 וְשִׁשׁוֹן וְשְׁמַחָה וְכִיּוֹצֵא בֵּהֶן בְּשֵׁין וְנִקְרְאִין בְּסִמֶּךְ [דִּ]
 הֵינּוּ אוֹמְרִין הֲרִי אֵילּוֹ בְּכַתּוּבוֹת וְקִרְוִייהֶן שְׁנִיתָנוּ
 10 לְהִדְרֵשׁ כִּי אִם יֵשׁ לְמִקְרָא וַיֵּשׁ אִם [לְמִ]סּוֹרַת
 וְעִכְשׁוֹ שְׁכַל מָה שֶׁהוּא כּוֹתֵב אִפִּילוֹ דְּבַר חוּלִין
 אֵינוּ כּוֹתֵב שְׁכַר שִׁשׁוֹן וְשְׁמַחָה שְׁעִיר שְׁעִיר⁴³
 שֶׁאֵר⁴⁴ וְכִיּוֹצֵא בֵּהֶן אֵילָא בְּשֵׁין נּוֹדַע כִּי לֹא נִתְּנוּ

⁴¹ This לֹא here is only to fill up the line.

⁴² About this difference between Ben-Asher and Ben-Naftali see in particular Ginsburg, *Introd. to Massoretico-Critic. edit. of Bible*, 250 ff. The first reading יִשְׁשַׁבֵּר is reported in the name of Moses b. Moḥah (cp. Pinsker, *Likkūte*, Appendices, 98).

⁴³ שְׁעִיר יִצְעִיר = שְׁעִיר.

⁴⁴ שְׁאֵר = שְׁאֵר.

דברים הללו להידרש אלא שין משמש שתי
 15 אותות כדרכו הוא שין ויש בו לשמש סמך
 במקום שנהגו סופרי הלשון הז[ה והע]תיקו
 לכתוב כן וכן וכן ה[ו] א אִמְ רַ יצחק⁴⁵ מקרא סופרים
 עיטור סופרים מה [ארץ] ארץ שמים שָׁמַיִם
 הכי קאִמְ כי כל אלה ה[מלו]ת ששמו[ר] ום
 20 [הסו]פרים ולימדם לישראל ה[לכה למ]שה מסיני
 הם מקרא סופרים כגון אֶרֶץ אֶרֶץ [ש]מים שָׁמַיִם

Here the MS. breaks off.

⁴⁵ Ned. 37 b.

BIBLICAL LITERATURE

I. THE FUNDAMENTAL FACTORS.

RELIGION, History, and Archaeology, not only of the Israelites, but also of the nations to whom the latter were either related or with whom they came in close contact, are the essential factors of Biblical studies. No results obtained by a purely literary text-critical method can be accepted which do not stand the test of these factors. The fundamental importance of this statement is so manifest as to constitute it a truism. The Mosaic Books that present a mixture of religion, history, and archaeology must of course be viewed in the same way. However, though essential to Biblical studies and generally considered in the treatment of these subjects, the modern critics do not look upon them as fundamental to the extent of modifying the results arrived at by an analytical and critical study of the Old Testament. On the basis of these results, more or less probable, an artificial edifice of the religion, history, and archaeology of the Israelites has been erected. Its presentation on lines, which almost entirely ignores the Oriental mode of thought and expression, is at best highly ingenious and attractive. But we might as well present Moses and the Biblical writers in modern garb as to view their writings in the light of modern thought. Believing in the accuracy and precision of their own presentation, the modern critics make it a norm for the study of the religion, history, and archaeology of other Semitic peoples. The conclusions obtained from these studies cannot but confirm their own views, since they merely reflect their own preconceived ideas. We may illustrate this procedure with the words of Johns in his book (17): 'Now when one fancies he can discern a surprising likeness between some clause in the Code of Hammurabi and some verse in the Bible, he is wise to keep his surprise to himself until he has

procured and studied the latest critical subdivision of the laws of Israel and satisfied himself to which source or sources his verse belongs. Then one has to ransack other authorities to know whether this ruling is one which is widely accepted, and even more important, whether it had been independently reached or was constructed with an eye to the very likeness to Babylonian law which it dreaded to acknowledge.' Notwithstanding the gigantic labours of master minds for over a century, which might have been employed for more useful and more noble aims than of discrediting the Old Testament accounts of Israel's history and religion and thereby undermining the fundamentals of the prevailing creeds, it does not require great ingenuity and learning to point out the defects and to demonstrate the artificial character of their construction of the religion and history of Israel. We may illustrate it by one of the most important views which forms the starting-point of modern criticism.

The modern critics arbitrarily deny the historical character of the patriarchs of Israel and consider the history concerning their existence legends pure and simple. Consequently, the syncretism discernible in the laws and religious conceptions of Israel must date from a post-Mosaic period. There is no need to dwell upon the fact as to how the presentation of the history and religion of Israel is affected by that view. The sojourn of the ancestors of the Israelites in Canaan would naturally account for the similarity of the laws and religious conceptions of the latter to those of the inhabitants of Canaan, and consequently that syncretism might be pre-Mosaic. Living in Canaan, though in a half-nomadic state, the ancestors of the Hebrews could not have remained unaffected by the civilization, religion, law, and customs prevailing there. Nor are we justified in assigning those Old Testament conceptions which apparently show Babylonian influence to the exilic period as soon as we accept as historical the Biblical statement that Abraham hailed from Ur, or, perhaps, according to another account, from Haran, two of the oldest centres of Mesopotamian civilization.

Moreover, the modern critics, with the exception of the radical

wing, concede it as an historical fact that the Israelites, or a section of them at least, sojourned in Egypt, where they were oppressed by forced labour, and whence they escaped to the desert. But notwithstanding this admission, they generally present the Israelites who left that country as nomads. Consequently, the Mosaic laws are considered from the aspect of a purely nomadic religion. They do not consider that even if the Israelites had been nomads on their entrance into Egypt, the influence of Egyptian culture upon them would have been inevitable, as Egypt was then unsurpassed in art and science by any country in antiquity. Though the Israelites may have dwelt separately in the land of Goshen, their constant contact with the Egyptians could not have been without effect. The proper names Moses, Aaron, Phineas, Hur, evidently show Egyptian influence. The nomadic religion of the Israelites must have undergone certain modifications under the influence of Egypt. Thus for instance, the Egyptians had a priestly caste that attended to all matters of religion. Having been constantly under the influence of the Egyptians, we may reasonably assume that the priestly organization of the Israelites was modelled after that of the Egyptians. Living in a country whose priests were men of high literary attainments, we cannot conceive how the Hebrew priests could have commanded respect and maintained their position among their own people, if they had not more or less emulated the example of the Egyptian priests. It was in their own interest to maintain the religion of their own people and thereby prevent the absorption of the latter into the Egyptians, as in that case they would have lost their position. They could not have been so ignorant as not to be acquainted with the art of writing. We may therefore assume that the Israelites, like the Egyptians, possessed religious books. Only primitive peoples, to whom the art of writing is unknown, transmit religious teachings and records of the past by oral tradition, and the Israelites under Egyptian influence could not have been any longer in a primitive state. Concerning the script they used, it may have been cuneiform, hieroglyphics, or even Phœnician characters, as there is no evidence that the

latter were not already in use in the first part of the second millennium. Ball (*PSBA*. XXX, 1908, pp. 243-4) called attention to a Semitic inscription written in Phoenician characters and reproduced in Petri's *Sinai* (p. 130, Fig. 130), which contains the name *Athtar*. This evidently shows that the Phoenician alphabet must have been known in the Sinaitic peninsula in the time of Thutmosis III (c. 1500-1447). Against this assumption we have merely the argument from silence which is very precarious.

The critical conception entertains no doubt that Israel was without written records in those early times, and that the Biblical accounts are based upon late traditions. If this view be correct, it is indeed questionable whether in those traditions trustworthy recollections of the early period were retained. But the very assumption that the Biblical records are far from being contemporary rests upon the view that the Israelites did not emerge from their primitive half-nomadic state before the establishment of the monarchy, and thus presumes that the Israelites remained untouched by the civilizations of Canaan and Egypt and were still primitive nomads on their entrance into Canaan. But such an assumption rests again upon the contention that the stories of the Patriarchs, the Exodus, and the Conquest are on the whole legendary traditions. The most advanced critics see in the presence of the Israelites in Canaan the result of a gradual settlement, and not of a conquest of that land. Others hold that the tribes of Jacob alone entered Canaan, while those of Israel represent the natives of that country. Some again distinguish between the tribes of Leah and those of Rachel and maintain that the former had never been in Egypt, while the latter entered Canaan under the leadership of Joshua. Concerning the tribes of Bilhah and Zilpah, the prevailing view is that they were Canaanite clans adopted into the union of Israel. The stories of the patriarchal life are considered a late attempt to sketch an instructive and edifying ancestral background for a set of very dissimilar tribes whom some political necessity led to amalgamate into the Hebrew people. The acceptance of such views actually means the rejection of all testimony of the Biblical records and

Hebrew traditions relating to that early period. Thus it is evident that the critical reasoning moves around in a vicious circle. The results obtained would be totally different if we hold that in the Biblical records are not embodied oral traditions but early records partly belonging to a period when the recollections concerning the ancestors of Israel were still vivid, though naturally more or less idealized, and partly almost contemporary with the events. Such a view could be maintained while insisting upon the documentary theory in its essential elements. The records coming from various sources would naturally reflect the views of the various recorders, and we could not but expect conflicting data, and disagreement in style and terminology.

Concerning the historical books of the Bible upon which the modern critics look with deep suspicion, if the Biblical compilers did not merely state the dry facts found in the early records, but added to them their own reflections and viewed them in the light of the religion of Israel, such a presentation does not justify the assumption that the facts recorded are unhistorical. The critical reasoning again moves in a vicious circle. The conclusions would be quite different as soon as we should hold that the Biblical laws date from an early period. Having branded the Book of Deuteronomy as pseudepigraphy, or in plain language, as a forgery, composed by those who pretended to have discovered it, and finding that the historical events narrated are presented in agreement with the views of the Deuteronomical author, they see in the historical presentation fiction rather than truth, invented for the purpose of demonstrating the antiquity of the Deuteronomical laws. The very contention, however, that 'The Book of the Law', discovered under the reign of Josiah, contained only the Book of Deuteronomy presupposes the acceptance of the critical doctrine that the compilation of the Mosaic Books dates from a post-exilic period. But even if we should admit that the latter books in their present form had not existed in pre-exilic times, there is no conclusive evidence that another book or other books similar in form and contents to our Pentateuch had not already existed before the establishment of the monarchy, and that it was

not a book of this kind that was discovered under Josiah. Here again we must point out the fact that such an assumption would not be incompatible with the documentary theory, as textual criticism can have no bearing upon the chronological problems concerning the periods to which the various strata of the Mosaic Books should be assigned. We must then go still further and assume with the great majority of the modern critics, following the lead of Wellhausen, Cornill, &c., that the Prophets were the very creators of Israel's religion as presented in the Mosaic Books, and that all Biblical references to the laws embodied there supposed to belong to earlier periods are unhistorical.

It is sufficient to point out the defective method of the critical reasoning, and there is no need to disprove in detail each point of the critical arguments. The Biblical writings, branded as pseudepigraphs, are on the defensive, and the burden of proof lies with the modern critics. The evidence the higher criticism presents is at best circumstantial, in many details admittedly inconclusive and still under discussion. The problems it raises can fairly be solved in accordance with tradition. Therefore, to say the least, a verdict of Not Proven must be returned. From this point of view the present writer proceeds to review the present contributions to Biblical studies, and to inquire whether recent writers succeeded in substantiating the claims of the critical views. The books reviewed deal with religion, history, and archaeology. The threads of these factors of Biblical studies so continually run from one into another and are so thoroughly interwoven as to preclude a separate treatment of each one. The Biblical studies here treated actually pursue the single aim of presenting these leading factors, though some consider them chiefly from a religious aspect, some chiefly from an historical point of view, and others on the archaeological side. Therefore, we consider it more convenient to review them together, under the headings of Religion, History, and Archaeology.

II. RELIGION.

(1) A highly-important contribution to this subject is J. P. Peters' book *The Religion of the Hebrews*. Considered from a purely literary aspect, it is a very fascinating work, and will be read with delight even by those who do not share the author's views, which on the whole are severely critical. We do not find here the supercilious tone which, as a rule, the modern critics assume toward the Biblical authors, and the book is pervaded by a religious atmosphere, which, however, seems to be incongruous with the radical views it expresses. This work and others of the same kind are characteristic of the influence of modern criticism upon theologians, and the havoc it has wrought upon their mode of thinking, that they are quite unaware of the fact that the reverential tone they adopt toward the religion of Israel ill fits their treatment of the subject. We frequently hear the assertion that modern criticism may be accepted without diminishing the value of the Old Testament as a record of Divine revelation. But it requires childlike simplicity to believe that descriptions of events that never occurred should assume a sacred character because of the moral lessons they teach. Now and then the author becomes restive under the autocratic rule of the German radical school, whose loyal subject he is, and refuses to reject all the Biblical accounts as untrustworthy. As for instance, he does not agree with the radical view that denies to Moses the authorship not merely of the Law as a whole, but practically of any part of it, even of the Decalogue, and which does not admit that Moses taught a monotheism or even a henotheism. Nor does he accept Budde's view that JHVH was the deity of the Kenites whom the Israelites adopted as their own god. He lays stress on the fact that we must not fail to recognize the immense importance of the personal factor of the founder of Israel's religion, and should not reduce him to the ranks and

(1) *The Religion of the Hebrews*. By JOHN PUNNETT PETERS, Ph.D., D.D. (*Handbooks on the History of Religions*, vol. V). Boston and London: GINN & COMPANY, 1914. pp. xii.+ 502.

make him a creature of his time and age, who had no outlook beyond that of the people among whom he lived and moved. He believes that some at least of the Israelites were closely connected with the tribes of the southern wilderness, as Judah and Simeon, and JHVH may have been their god. He further refuses to accept the view held by most critical scholars that the Ark of the Covenant contained a sacred stone of the nature of a fetish, and not the tablets with the Decalogue, and contends that the latter written on the tablets actually dates from the Mosaic period (see chapter IV). However, the author does not seem to have perceived the far-reaching importance of assigning the written Decalogue to Moses. He places the beginning of Hebrew literature in the times of David and Solomon (see p. 7). But if the Decalogue was actually written by Moses himself, and of course in Phoenician characters, this art of writing must have been well known in the Mosaic period, and what objection could there be to the Biblical testimony that Moses was also the author of other laws beside the Decalogue? What reason is there for the assumption that about three hundred years elapsed between the writing of the Decalogue and the earliest Hebrew records? Shall we assume that with the passing away of Moses the art of writing disappeared from among the Israelites? If the personal factor of Moses was of so great an importance that he was 'towering above his race and time', his existence could not have been without influence on his associates, and therefore does it not stand to reason that some of the latter left written records of their own describing the Mosaic legislation, which were used by later historians? The author evidently failed to perceive that the radical critics did not arbitrarily deny the existence of the written Decalogue and the importance of the founder of Israel's religion. This view was the logical outcome of their critical attitude, as otherwise the fundamental structure of higher criticism would be defective. One cannot serve two masters at the same time, nor can one adhere to the critical view without denying altogether the historicity of the Mosaic legislation.

The book is divided into twenty-nine chapters, which present

the Hebrew religious conceptions from their earliest primitive stage down to the commencement of the Christian era, and contains a chronology and a selected bibliography. The first chapter outlines the sources and methods of study, and illustrates the Hebrew methods of historical and legal composition by that of the Saxon Chronicle. The views, the general dates given, and the tendencies of the different books of the Old Testament described, are in accordance with the results obtained by modern criticism. The second chapter, which describes the land and peoples of Palestine, is rather instructive. The third treats the primitive religion of the Hebrews, which is compared with that of the Arabs. This comparison is no doubt correct even from a traditional point of view, and thus independent of the author's premises that the Hebrews were in a nomadic state before the time of Moses. If Abraham hailed from Babylonia, and nevertheless bears a West Semitic name, his tribe evidently belonged to those Western Semites who invaded Babylonia in the second part of the third millennium. Thus Abraham was by origin an Arab, and his religion, which essentially was that of the pre-Mosaic Hebrews, must have been closely akin to that of the Arabs, though it was no doubt influenced by that of Babylonia, and underwent further modifications on his entrance into Canaan. The fourth chapter discusses the personality of Moses, the nature of the bond by which the tribes of Israel were united to JHVH and to one another, the original habitat of the JHVH-cult, the Ark of the Covenant, and the date, the original form, and interpretation of the Decalogue. The treatment is interesting, and the opinions expressed are rather moderate, but somewhat illogical, as already pointed out. The fifth chapter deals with the religious conceptions of the Canaanites and their influence on the Hebrews, in which the author substantially follows the lead of the critical radicals. The view that the Hebrews adopted legal institutions, rituals, and festivals may be readily accepted even by adherents of the traditional view, as the Hebrews had sojourned in Canaan before they descended into Egypt. The point of departure between the critical and

the conservative views is the date which we should assign to that adoption from the Canaanites. Of scanty interest is the sixth chapter, which briefly outlines the effect of national experiences from the time of the Conquest to the Maccabean period. The seventh and eighth chapters deal with the developments of the priesthood and the ritual. We cannot enter into a detailed examination of the bold views presented there, which are well known. The establishment of the Levitical priesthood may be as old as the Exodus, if not older, and does not necessarily belong to a late period, notwithstanding that kings, chiefs of the tribes, and others, by imitating the example of other nations, arrogated to themselves the priestly office. As to sacrifices, they are as old as the human race, and there is scarcely any doubt that an elaborate sacrificial system had existed long before the Mosaic period. It was among all nations in the interest of the priesthood to have such an intricate system, in order to ensure its position and to make the laity dependent upon its functions. But the indifference of the Hebrews toward the rights of the priesthood is easily understood as soon as we believe in the Biblical account that the establishment of the priestly order was from the very outset not popular with them. This establishment was not quite in accordance with the principle of equality, the basis of the Mosaic legislation, nor with the declaration that Israel should become 'a kingdom of priests'. But Moses may have had an outlook beyond that of his people, and clearly perceived the immense value of a priesthood which in its own interest might become the guardian and preserver of the religion he established, as it actually did. Those who on etymological ground advance the theory that the Levites were of non-Hebrew origin do not consider that we have for the priestly order of the Levitical tribe a complete parallel in the tribe of the Magi among the Iranians. Critics ought to take into consideration the possibility that the Hebrew priestly organization may have possessed from the very beginning a sacred book of its own which fundamentally differed from that of the laity, that it contained all the ritualistic laws, and especially dealt with the

institutions concerning sacrifices, besides the common laws, and thus might not be inaptly designated as the Priestly Code.

Chapters IX–XVII deal with the period between the death of Solomon and the fall of Jerusalem. Though being the most important period in the history of Israel, we need not discuss the views advanced there, as on the whole they are identical with those generally held by modern critics, but here and there the author is somewhat more moderate. As, for instance, he admits that the practical monotheism with which the Writing Prophets begin was already a tenet of the spiritually-minded thinkers of Israel, as it appears in the Jahvistic and Elohist narratives and in the legislative codes embodied in these narratives. But on this point, as well as on others, whenever he tries to deviate from the views of the radical critics the author gets into difficulties out of which he cannot extricate himself. Both the Judæan and Israelite compilations condemn the setting up of the golden calf by Israel (p. 203). But if those documents antedate the period of the Writing Prophets, how can we explain the fact that neither Elijah nor Elisha, and not even Amos, protested against the worship of the golden calves in the sanctuaries of Beth-el and Dan? Further, the author does not accept Wellhausen's opinion, generally shared by modern critics, that the Book of Deuteronomy was composed by those who pretended to have found it, and sees no reason to doubt that it was found as described, but considers it the work of the followers of Isaiah. The author's opinion is scarcely less repugnant than the former, as it simply means that the high priest Hilkiah was imposed upon by the composers of that work.

Chapters XVIII–XXI discuss the theology of Ezekiel, conception of holiness, the exile, and the restoration. The assertion that Ezekiel was profoundly affected by the religion of Babylonia is rather daring, and without the least justification. The statement that in the Code of Holiness, moral, ceremonial, and ecclesiastical laws are placed on the same footing, is inaccurate. Penalty of death was imposed for the transgression of many moral laws, as adultery, incest, sodomy, bestiality, murder, witch-

craft, blasphemy, cursing of the parents, but not upon transgression of ceremonial and ecclesiastical laws. Nor is it accurate to state : 'The inadvertent touching of an unclean thing of which he is not himself conscious, may render him unclean, and bring calamity upon him or upon the whole nation' (Lev. iv-v). The final chapters deal with a variety of subjects, the problem of evil, the development of the law in Babylonia, the New Religion, the Temple, the Synagogue and the Scribes, Persecution and National Revival, Messianic Hope and Future Life. Considering the author's critical attitude, he presents a survey of Israel's religious development on the whole in a clear and masterly manner, though now and then we miss independence of critical judgement.

(2) More radical and therefore more consistent is H. P. Smith's book, *The Religion of Israel*. The object of the work is to give an account of the rise and progress of Israel's religion from its beginnings in the nomadic period down to the event that put an end to the Jewish state by the Romans, and proceeds upon the supposition that the results of higher criticism are fairly certain. The author modestly declares that all that the book claims for itself is that it represents our present knowledge; what the future has in store for us we cannot forecast. Modest as this declaration seems to be, it plainly proclaims that any other presentation that assumes a more moderate view of those subjects is not in accordance with our present knowledge. We need not look to the future for the discovery of new factors which might modify or refute altogether the author's extreme views. Sufficient unto the day is our present knowledge, which the author, however, evidently ignores. He frankly states that he avoided controversy, and expressed his opinions in positive terms. Such a treatment is very convenient, but then we must rely upon the author's authority that he examined the opposing opinions from an unbiassed point of view. However, though the theories and

(2) *The Religion of Israel. An Historical Study*, by HENRY PRESERVED SMITH. New York : CHARLES SCRIBNER'S SONS, 1914. pp. x + 369.

suggestions contained in this work are by no means 'fairly certain', and ought to have been expressed with some reserve, it must be admitted that the presentation is brilliant and striking, and makes excellent reading. It is so alluring that it impresses the reader that the views presented are original, and the author by his ingenuity succeeded in outdistancing the advanced position of the modern critics. But this is by no means correct, nor is it the claim of the author. His book is a compendium of extremely radical views which, however, had already been suggested by other scholars.

The book consists of twenty chapters. The first chapter surveys the former methods of Old Testament studies which made the Hebrew literature teach a theology, and points out that Biblical theology is an historical science that demands as a pre-requisite what is known as higher criticism. It warns against the temptation to make the Law of Moses the starting-point of Israel's history, as with such a presupposition the latter is unintelligible, and briefly outlines the actual process of Israel's development. It distinguishes four stages in the history of Israel, and the presumption is that the religion will correspondingly show four stages. These four divisions are: Nomadic Religion, Agricultural Religion, Prophetism, and Legalism.

The author, in making these divisions, presupposes the critical view which ignores the patriarchal narratives, considering them pure fiction. The Old Testament not only does not make the Law of Moses the starting-point of Israel's history, but actually presupposes a pre-Mosaic religion, which, if divine, Moses could not have abolished, as seen by the blessing of Isaac by the Lord, because Abraham obeyed his voice and kept his charge, his commandments, his statutes, and his laws (Gen. 26. 3-5). If we ignore the critical view, we shall find that the Old Testament actually distinguishes four stages in Israel's history. First comes the nomadic stage in the period of Abraham. It is followed by the agricultural stage in Canaan and Egypt. Then came the stage of being united into a nation under the leadership of Moses, though it was not fully realized until the establishment of the monarchy. The last stage

was that of corruption. Corresponding to these stages, we find the nomadic religion of Abraham, the agricultural religion under the influence of the Canaanites and Egyptians, the legalism under Moses, and finally prophetism. The author's arrangement shows a certain want of logic. Prophetism is certainly not a natural consequence of corruption, but a phenomenon which can be explained only as a protest of those who remained undefiled by the common corruption and faithfully adhered to the Law of Moses. That legalism precedes prophetism is testified to by Amos (2. 4).

The second chapter, which deals with the nomadic religion, contains not a few assertions which are far from being fairly certain. As for instance, the variety of names that are used for God is presented as convincing evidence for the polytheism of the patriarchs. But in the Old Testament, *El* is purely of appellative signification, and not a proper name, as it is used also with the article. The same is of course true of *El Elyon*, and no less of *El Shaddai*, the second element of which is plainly identical with Babylonian *shadū*, 'mountain', and the name evidently means 'the God of the mountains'. But JHVH is certainly a proper name of the God of Israel, though of doubtful meaning. The third chapter discusses Moses and his work, in which the existence of Moses is not denied, though the fact that he taught monotheism is. The fourth describes the period of transition. The worship of the bull in the desert is presented as the plainest evidence for the syncretism, as nomads would not think of paying homage to a bull. However, it may also be taken as evidence that the Israelites who left Egypt were not nomads. In the fifth chapter, which deals with religion in the early literature, the J and E strata are placed in the ninth century, evidently to make them contemporaneous with the rise of the early prophets, though it is admitted that a considerable literature existed in Israel from the time of Solomon at least. Chapters VI-IX discuss the earlier prophets, Amos, Hosea, Isaiah, and Jeremiah. The author agrees with the well-known view that the writings of the prophets have undergone extensive revision by late editors. This view is

a pre-requisite of the higher criticism, as it makes these writings untrustworthy, unless we look to the infallible tribunal of the higher criticism for a decision as to what portions we may accept with some confidence. Any prophetic testimony for the traditional position can easily be ascribed to late post-exilic editors. In the tenth chapter, entitled the Beginnings of Legalism, the Book of Deuteronomy is discussed. Its composition is placed about the time of its discovery, but it is admitted that its contents give no indication that the report of its being found in the Temple is a fiction. The eleventh chapter deals with Ezekiel, who is characterized as one of the least sympathetic of the Old Testament characters. The twelfth chapter is entitled, Legalism Triumphant, in which Leviticus is dated about two centuries after Ezekiel. The statement that the rite of circumcision is punished with the penalty of death is of course incorrect. The thirteenth chapter is entitled Dogmatic Bias, and describes the literary activity of the priestly writers. The remaining chapters bear the titles, the Messianic Hope (XIV), the Spiritualization of the Messianic Hope (XV), the Sceptical Reaction (XVI), Legalism and Practical Problems (XVII), Apocalyptic Development of the Messianic Hope (XVIII), the Treasure of the Humble, i.e. the Psalms (XIX), and the Final Stage (XX). Space forbids us to point out the immense number of statements to which one may reasonably take exception. Dogmatic bias, of which the author accuses the priestly writers, is indeed a chief feature of the modern method. The critical views are settled dogmatically, and the development of the religion of Israel must be in accordance with them.

(3) Largely as a digest of the views presented in the two last volumes may be characterized H. Th. Fowler's book, *The Origin and Growth of the Hebrew Religion*, which is designed to offer a guide for study rather than a new treatise upon the history of Israel's religion. It is divided into twelve chapters. After an

(3) *The Origin and Growth of the Hebrew Religion*. By HENRY THATCHER FOWLER, Professor of Biblical Literature and History in Brown University. THE UNIVERSITY OF CHICAGO PRESS, Chicago, 1916. pp. 190.

introductory chapter entitled General Survey, there follow chapters on the Deliverance and the Covenant (II), the Wars of Jahveh (III), Religion and National Life (IV), the God of Justice and Love (V), the Exalted God of Nations (VI), Religion and Law (VII), the Discovery of the Individual (VIII), Two Ideals from the Exile (IX), Legalism Triumphant (X), the Two Hopes (XI), and Israel's Contributions to Universal Religion (XII). Each chapter is headed by references for study in both the Old and New Testaments, and at the end of each chapter is given the parallel discussion in the books assigned for supplementary reading. The book contains also two chronological outlines of Hebrew history and literature, and two Appendices, Reference Literature, and Outline for Students' History.

As the author does not claim to present new points of view, we need not enter into details. The arrangement of the material shows good pedagogical sense. But we doubt whether such a guide should be offered for study. The author is evidently deeply solicitous for the spiritual welfare of the Bible students who might fall into the error of seeing in the Old Testament accounts truth instead of fiction, and therefore provides them with a guide to guard them against the pitfalls that beset their way of study and to lead them safely on the path of truth paved with extremely radical views. Authority is invoked versus the Biblical authority in declaring: 'Five generations of minute and painstaking study, in which the work of each scholar has been subjected to the most searching criticism and all available evidence has been constantly re-examined, have resulted in a general consensus of scholarly opinion as to the growth of the Old Testament writings' (p. 6). One may approve or disapprove of a statement calculated to prejudice the minds of the students in relying on the authority of previous investigators. We are not concerned with the question whether that statement is exact, which we may fairly doubt. Nor do we blame the author for his endeavour to convert students to a view of his own conviction. However, we may question whether it is fair and broad-minded to recommend for supplementary reading exclusively books of authors who hold extremely

critical views and none of those whose views are more moderate. We should think that in the literature assigned for reading students ought to be made acquainted with both modern and conservative views in order to be able to judge for themselves. There is but little choice between the critical opinions recommended, and thus students are placed between Scylla and Charybdis. Text-books of this kind illustrate Johns' statement: 'The critical theory is now so firmly rooted in the minds of all scholars *who are not allowed in youth to imagine any alternative*' (17). The chronology is rather inaccurate. We especially wonder on whose authority the author relied in placing Ikhnaton (Amenophis IV) about 1440, which is of course impossible, as there can be no doubt that Thutmosis III died in 1447, and between the latter's death and the accession of Ikhnaton there were three rulers with rather long reigns.

III. HISTORY.

(4) While the last volumes reviewed deal with Israel's religion in the light of history, Is. J. Peritz's book, *Old Testament History*, deals with the history of Israel in the light of Israel's religious development. The book is one of a series of Bible study texts for the purpose of religious education, and therefore the emphasis has been placed upon the distinguished personalities, the religious, moral, and social ideas, and fundamental institutions of the Old Testament rather than upon mere historical events; and the latter have been dealt with only in so far as they are needed to explain the historical background of the former. In each section the Biblical text which is the basis of discussion is indicated in the margin. The material is presented in three parts: the formative period (from the beginnings to the death of Solomon), the period of the Prophets (from the division of the kingdom to the restoration under Cyrus), and the period of the priests and

(4) *Old Testament History*. By ISMAR J. PERITZ, Ph.D., Professor of Biblical Languages and Literatures and Willard Ives Professor of the English Bible, Syracuse University (*Bible Study Textbook Series*). THE ABINGTON PRESS, New York, Cincinnati, 1915. pp. 336 and 5 maps.

scribes (from Cyrus to Herod), and in an introduction. The whole is divided into fourteen chapters, which are separated into subdivisions. At the end of each chapter are given suggestions for study. The book contains also a map of the Old Testament world, and a selected bibliography.

The author certainly succeeded in producing a scholarly and highly instructive work. The presentation of the critical views is very sympathetic, as they are expressed with a certain reserve, and the possibility of more moderate views is often freely admitted. As for instance, it is admitted as reasonable that what Moses had experienced among the Kenites was a revival of ancestral religion, forgotten in the foreign and adverse Goshen environment, and now once more brought to the Hebrew tribes' instinct with a new enthusiasm. Further, it is conceded that there is not sufficient ground for denying that the first great expression of the laws contained in the seven distinct codes for Israel was by the inspired wisdom of Moses, though it is no longer possible to determine exactly which parts go back to his time. The objection that the Book of Covenant reflects a considerably advanced state of society is met by the argument that when the semi-agricultural mode of life at Kadesh is recognized, more of that code will find a suitable origin in Mosaic times. From this point of view it is considered as possible that the three harvest festivals in an early form belong also to this time. It is further assumed that with the institution of the new religion came that of the priesthood, who should perform the functions connected with the sacrifices, the Ark, and the oracle. As to the literary and historical character of the patriarchal stories, it is admitted that there are elements in them that rest upon substantial facts of history, though allowance must be made for their shaping and embellishment.

However, these deviations from the current critical opinions should by no means be taken as evidence that the author belongs to the small remnant of the moderate critics. Nor is there any reason to imagine that the author has toned down some of the current views in deference to the religious sentiments of the

societies under whose auspices the series to which his book belongs is published. This book is a true product of the spirit of our age and abounds with extremely critical views. The results of higher criticism are enthusiastically accepted and religiously upheld. The author ventures even to declare that there is practical religious value in Biblical criticism. But on several points the author shows more independence of judgement and clearly perceives the defects of the modern methods in converting mere theories resting upon evidence that is far from being conclusive into undeniable historical facts.

However, there is one point on which we regret to see poor judgement. He observes: 'When one reads the regulations as to how and when to recite one of the sublimest ethical passages in the Old Testament, containing the words: "Hear, O Israel: Jehovah our God, Jehovah is One: and thou shalt love Jehovah thy God with all thy heart, and with all thy soul, and with all thy might" (Deut. 6. 4f), and notices the rabbinical quibbling over the question whether it is to be recited standing or lying, audibly or inaudibly, as early in the morning when one can distinguish between the colours of sky-blue or leek-green, and finds no reference to its ethical import, one realizes how shallow, after all, must have been the interest in keeping the law' (p. 329). Did the author not consider that the very existence of Israel testifies to the Jewish sublime conception of the ethical import of these words? Were not the same Rabbis who quibbled over that question willing to undergo unspeakable martyrdom for the truth of these words? The numberless millions of Jews who underwent the most atrocious persecutions and sacrificed their lives for their adherence to these words during a period of more than two thousand years ought to show that their interest in these words was anything but shallow. The Rabbis quibble over the question because of the sublime import of this confession of faith.

(5) Of a more moderate though strictly critical tendency is

(5) *The Biblical History of the Hebrews*. By F. J. FOAKES-JACKSON, D.D., Fellow of Jesus College, Cambridge, and Hon. Canon of Peterborough. Cambridge: W. HEFFER & SONS, LTD., 1917. pp. xxxii + 440 and 4 maps.

F. J. Foakes-Jackson's book, *The Biblical History of the Hebrews*, which is primarily intended for students in theology, and endeavours to tell the story of Israel from a Biblical standpoint. This is not a new book but a reprint of the third edition of 1909. The success it gained on its former publications is well merited, as it is in every respect an excellent work, thoroughly scientific and well adapted to make the student acquainted with the current problems of modern criticism, which, however, are presented with less confidence than is customary at present, and on points where the evidence against the Biblical accounts appears to be somewhat doubtful, the Biblical authors are given the benefit of the doubt. Concerning the historical value of the Biblical records, the position is taken that the Bible is practically the sole source of information for most of Israel's history, and its testimony even on this ground is of the highest importance. The documentary theory furnishes scope for a certain amount of critical discernment, as it continually suggests the question whether the view taken of certain events is that of the age in which they occurred or in some subsequent period. Under these circumstances a good deal of conjecture is allowable, but its results can never take the place of historical facts. That there are difficulties in the Biblical narrative cannot be denied, but the presence of contradictions real or apparent need not make tradition valueless, and it is frequently the case that the discovery of fresh evidence has re-established a tradition which has been pronounced by experts to be incredible. Unless there is positive evidence against any tradition it should meet with respect, and this rule applies with special force to the Scriptures of Israel.

Notwithstanding the full acceptance of the documentary theory, the author admits that there is no reason why the Hebrews from the patriarchs downward should not have had a literature of their own. An Israelitish tribe is especially mentioned as famous for its scribes in a very early poem. But while there is no presumption against the possibility of an early literature, there is no proof of its existence till the ninth and eighth centuries. Those who hold a conservative view ought to be

satisfied with such a concession coming as it does from a critical scholar who displays sound judgement and is able to see both sides of the questions under consideration. In assigning the Book of Deuteronomy to the days of Manasseh, the author candidly confesses that there is a most natural repugnance to attribute one of the most earnest and spiritual Books of the Scriptures to one who used the venerable name of Moses to advance his own opinions, and believes that the only way of escaping from this dilemma is the presumption that such a literary artifice is not as abhorrent to Orientals as it would be to us.

As to the fact that miracle and prophecy play an important part in the history of Israel, the author admits that the whole question is one of extreme difficulty, and though the human mind under the influence of modern ideas has the greatest difficulty in believing in an interruption in the course of nature, no one has been able to prove that such interruption has never taken place. A purely rationalistic account of such a people as Israel is not likely to give a correct impression. Of special interest are the following observations of the author, which are worthy to be quoted: 'Indeed, the wonderful story of the chosen people is in itself a greater miracle than any exhibition of Divine power it records. It is absolutely unique in the history of humanity. No nation can show a record resembling it. That a people possessing their full share of human frailty, not naturally given to idealism, nor easily touched by appeals to their better nature, with apparently no special aptitude for religion, but hard-hearted and stiff-necked as their teachers describe them, should have existed for ages without country or sanctuary, or any external coercion, simply for an idea, would be incredible if it were not a fact. That the extraordinary tenacity with which the Jews have clung to their religion was due to a discipline which probably began in Egypt in the thirteenth century B.C. or earlier, and ended not much more than a century after the foundation of Rome, is almost beyond belief, and yet it is sober truth. . . . All these things point to the fact that throughout its long, eventful, and painful

story Israel has been upheld by some external power not its own ; and that the Jew has outlasted so many proud empires and ancient races is a miracle beside which the mere drying-up of the Red Sea, that his ancestors might escape from Egypt, need hardly cause more than a passing feeling of surprise.'

The subject is treated in fourteen chapters, as far as the sources of the Canonical Books of the Old Testament are available, and in several appendices, in which the extra-Biblical sources are discussed. The introduction is very instructive. Not the least valuable part of the book are the numerous notes to each chapter given at the end of the book, which contain an abundance of information, and are highly suggestive. It is on the whole truly a *Biblical History*, and may be safely recommended to those who want to study Israel's history in connexion with that of the Old Testament, and is at the same time a storehouse of valuable suggestions.

(6) Of quite a different character is W. G. Blaikie's book, *A Manual of Bible History*, which is a strictly Christian-orthodox work that presents Israel's history and the rise and establishment of Christianity in accordance with the sources of the Old and New Testaments, which are considered from the point of view that the Scriptures are given by the inspiration of God, and therefore the accounts they give are beyond all doubt and all argument. There is not the least reference to critical methods or the documentary theory. However, though the results of modern criticism are totally ignored, the treatment is by no means indifferent toward other results of scientific research. It constantly refers to modern discoveries, and also considers the parallel history and progress of the leading nations of the world, showing what was going on elsewhere while the history of the Bible was being enacted. Throughout the whole book there are constant references and allusions to the rise of Christianity. It

(6) *A Manual of Bible History*, in connexion with *The General History of the World*. By REV. WILLIAM G. BLAIKIE, D.D., LL.D. New edition revised and enlarged. London: T. NELSON & SONS, 1912. pp. viii + 504 and 12 maps and plans.

is not so much a Bible history in the true sense of the term as an historical interpretation of the Biblical events and a commentary on the Scriptures from a purely Christian point of view, which is intended to be used in connexion with the study of the Old and New Testaments.

The usefulness of this work for Christian Bible students is very little impaired by its strictly traditional tendency, though its value would have been greatly enhanced if it did not entirely ignore the attitude of the critical school. A presentation of history on traditional lines ought to take full cognizance of the critical views, and argue in favour of the traditional conception in exposing the weak spots in the former conception. But it is fair to state that in recent times we very seldom meet with books by conservative authors in which the views of the critics are not seriously considered and thoroughly discussed, and, on the other hand, there is a growing tendency among the latter to disregard the conservative attitude altogether. However, there is no scarcity of works that expound the higher criticism, and information on this subject is easily accessible, but in recent years very few books made their appearance that treat the Biblical accounts as real history. Thus this book, which gives the Bible history from a purely Biblical point of view, frequently in the light of the information furnished by Assyrian and Egyptian monuments, besides being decidedly useful to Bible students who denounce all critical doubts concerning the facts recorded in the Scriptures, might also be instructive for those who hold different views in becoming acquainted with the Christian traditional conception of the Biblical history.

The book is divided into sixteen chapters, of which I-XIII deal with the Old Testament history, XIV with the interval between the Old and New Testaments, and the two last chapters with the rise of Christianity: Gospel History and Apostolic History. Each chapter falls into several sections. The inferences drawn from the extra-Biblical sources are on the whole reasonable. A discussion of the author's views would be quite impossible within the space available. But we may mention

a few characteristic points. It is rather curious to find the statement, 'It is now the general belief that the Book of Job was not written till about the time of Solomon' (p. 87). Darius of the Book of Daniel is identified with Cyaxares, who of course never existed, and is a pure invention of Xenophon in his *Cyropaedia*, as we know from Nabunaid's inscription that Astyages, the last king of the Medes, was overthrown by Cyrus. Nebuchadnezzar is represented as the conqueror of Egypt, a presumption purely based upon Ezekiel's prophecies (29-32), which is of course unhistorical. But the book as a whole will prove a source both of information and edification for those who share the author's point of view. The maps and plans and the list of Biblical names will be especially useful.

(7) To the works which deal with Hebrew history archaeologically may be assigned Laura H. Wild's book, *The Evolution of the Hebrew People*, which, though outlining the Hebrew history from the earliest period down to the establishment of Christianity, is less a history than an introduction to Biblical history. Its main object is to point out how far Hebrew ideas contributed to the present civilization. The historical conception is thoroughly in accordance with the critical views. Its starting-point is the tracing of the development of pre-historic man, the great racial groups, and of religious ideas before the rise of the Hebrews. Its leading idea is that the principle of evolution must be applied to Bible history as to every branch of human knowledge. Society to-day is the product of the past, and indebted to many sources for the influences that have made communal life at present what it is, and not the least of these influences is the influence that has come from the social and spiritual ideals of the Hebrew people. The Bible is of tremendous importance to-day, because its social programme, touching directly upon political, national, and international policies, is not a cut-and-dried effort of some

(7) *The Evolution of the Hebrew People and their Influence on Civilization.* By LAURA H. WILD, Professor of Biblical History and Literature in Mount Holyoke College. New York: CHARLES SCRIBNER'S SONS, 1917. pp. xi + 311 and 2 maps.

person's brain superimposed upon society, but the gradual working out, through the terrible birth pangs of racial development, of vital racial truths.

The book consists of five parts, which are divided into thirty-one chapters. Part I gives the cultural background of Hebrew life, and describes the discoveries of ancient monuments, the four stages of man's development, the four main groups of men, and the three groups of the Caucasian races, and the highest type among each of these groups. It also examines the reasons for the early supremacy of the Mediterranean races, the place of Semitic thought in the development of the Western races, and points out the differences between the Indo-European and Semitic ways of thinking. Part II gives a sketch of the development of religious ideas, describing the various kinds of early beliefs, as animism, fetichism, totemism, ancestor-worship, &c., the philosophic basis of early theology, polytheism, henotheism, and monotheism, and discusses traces of early beliefs and customs in the Bible, and the gradual development of prophetic conceptions. Part III considers the influence of physical environment upon the development of the Hebrew race. Part IV, under the caption 'Israel's Economic and Social Development', surveys the whole Hebrew history from the patriarchal period down to the final destruction of the Jewish state. Part V, entitled 'The Place in World Thought of the Great Prophetic Hebrew Teachers', points out the more enduring messages of the Old Testament prophets, and the conceptions of Jesus and Paul.

This book is a highly-interesting and stimulating work, as it frequently exhibits keen and discerning judgement, the subject is treated in a clear and attractive style, and there is a ring of sincere enthusiasm for the Biblical ideals. It also contains a great amount of information generally not considered in connexion with Biblical studies. Though the teaching of Jesus is presented in terms of boundless admiration, the book shows a remarkable degree of tolerance toward his opponents. It is a relief to be spared at least for once the stale accusation against the hypocrisy of the Pharisees and their dead formalism.

Interesting is the remark: 'The striking characteristic of the Hebrew race is that, notwithstanding all apostasy, there did persist throughout the centuries from early nomadic days a nucleus of people so loyal to their ideals that hardship and persecution of the severest kind that history records could not break up and dissipate the truth they had to bring to the world' (p. 289). Does the author refer to antiquity or to the Christian era? The economic conceptions of the Talmud and its regulations for the welfare of the masses are highly appreciated, though it is admitted that 'some of these numerous laws seem to deal with very trivial matters'. An opinion like, 'the more we study the Rabbinical Code the more we admire its provisions' (p. 261), is rarely encountered in contemporary literature. Concerning the principal theme of the book, the thought of evolution as applied to Bible history, we shall see what the next book has to say on this subject.

(8) That a thoroughly scientific treatment of Biblical history can be brought into full agreement and harmony with the traditional conceptions is the position taken in S. Jampel's book, *Vorgeschichte Israels und seiner Religion*. The author, an orthodox Rabbi and a pre-eminent Talmudist, and well known as a Biblical scholar by his previous works, in which he demonstrates that Hebrew tradition is not in danger of being overthrown by the result of modern discoveries and scientific methods, pursues the same tendency in this work. It is a popular presentation of both the pre-history and the religion of Israel in accordance with the ancient Hebrew traditions and the contemporary inscriptions. Its leading idea is that the cuneiform inscriptions furnish the real material for the pre-history of the Hebrews and their religion, of which the framework is presented in the Biblical and Talmudic traditions. Its starting-point is that the idea of evolution and development holds true of other nations, as they dissolved themselves into separate tribal bodies while still in a primitive stage, and from the outset of their separate existence

(8) *Vorgeschichte Israels und seiner Religion*. Von Rabbiner Dr. SIGMUND JAMPEL, Schwedt a/O. Frankfurt a. Main: J. KAUFFMANN, 1913. pp. 259.

had to work out their development independently. Israel, however, was not born an infant, as it were, but had gone through all stages of infancy, while being an embryo in the body of the Babylonian people, before it had a separate existence as a people. When the first Hebrew families detached themselves from the Babylonian race, the latter had already attained to its full maturity, and its culture had already reached its zenith. The separate existence of all other nations preceded by centuries or millenniums their characteristic religions. But the religion of Israel preceded its national existence. The separation of the first Hebrew families from the main body of the Babylonian people was caused by differences of religious conceptions. The Hebrew tribe in its beginning was merely a religious sect among the Babylonians. The author might have illustrated the condition of the first Hebrews who left Babylonia due to religious differences by that of the Puritans who left England for the same reason. Therefore, the principal objection to the Biblical account of the early history of the Hebrews, which is based upon the ethnological law that no people knows its real origin, because it must pass through a period of infancy, during which it has no sense for historical recollections, while in its maturity the events of this early period are already obliterated, is refuted.

Further, the critics who cannot see any reason why the patriarchs of Israel should be treated differently from the legendary ancestors of the Grecian tribes, as Dorus, Ion, Achæus, &c., ought first to prove the unhistorical character of the latter. At present we possess numerous inscriptions and monuments of the Babylonian king Sargon I, the Egyptian king Menes, the Assyrian queen Semiramis, yet these rulers were not long ago generally held to be merely mythical figures, and experiences like those ought to teach us to be more cautious in the treatment of ancient heroes. It is absurd to deny their existence because of the legends woven around their memories. It is more reasonable to see, with Euhemerus, in the mythology of all nations a later deification of ancient heroes than to regard ancient history as pure mythology. If Israel preserved its memories of the past

more clearly and in a more correct form, it is due to the fact that in its infancy it attended a better school among the Babylonians than other nations among their more primitive ancestors.

The subject is treated in twenty-four chapters, of which the fifth is missing in the copy before the reviewer. Chapter I discusses the beginning of civilization according to Biblical and extra-Biblical traditions, in which Babylonia is regarded as the cradle of all Oriental civilizations. It largely deals with the Table of Nations. It is pointed out that Biblical tradition knew that the original inhabitants of Babylonia were neither Semites nor Aryans, and assigned them to the Hamitic group of nations, in tracing their descent from *Kush*, the first son of Ham, and we know at present that the earliest Sumerian rulers belonged to the dynasty of *Kish*. Chapter II deals with the formation of nations according to Biblical and extra-Biblical sources. The opinion advanced that the nations of Abyssinia and Nubia, which in the inscriptions are called *Kash* and *Kesh*, are identical with the Kassites will hardly be accepted. Chapter III investigates the origin of the Hebrew Palestinian civilization. The non-Semitic origin of the Phoenicians and their close relationship to the Egyptians is demonstrated. But the arguments for this view are rather doubtful. Chapter IV treats of the origin of the Israelites. The arguments of the critics against the Biblical accounts of this period are thoroughly discussed. Chapter VI investigates the Biblical and pre-Biblical conceptions of God. Among the early Babylonians there may have been some whose religious conceptions were not inferior to those of Melchizedek. We may surely assume that other Palestinian priests shared the latter's religious conceptions. The opinions of many Assyriologists that the Hebrews are indebted to the Babylonians for many of their religious conceptions are in full agreement with the Jewish traditions that the patriarchs acquired their religious training in 'the Schools of Shem and Eber'. Chapter VII demonstrates the influence of the old Semitic civilization upon that of the Aryans. Chapter VIII discusses the influence of the Sumerians upon the Semites, and

IX, the relation of the *ancient Hebrew* civilization to that of the other Semites, and especially deals with the West Semitic or *Hebrew* proper names, and with the Code of Hammurabi. In order to understand the author's arguments, we must explain that the West Semites who entered Babylonia are designated as *ancient Hebrews*. Of special importance are Chapters X–XIII, which investigate the pre-Mosaic laws of the Hebrews, the relation of the *ancient-Hebrew* laws to the oral traditions of Judaism, the connexion between the Biblical and pre-Biblical laws, and the connexion between the *ancient-Hebrew* laws and the oral traditions. The view is taken that the pre-Mosaic laws are on the whole identical with those of the Code of Hammurabi, some of which still survived in the oral traditions; the former for the most part were incorporated into the Biblical laws, though some were modified and others distinctly abrogated; and in many cases we can plainly see that the oral traditions date from a pre-Mosaic period, and thus may claim a higher antiquity than the Biblical laws. The remaining chapters are: Religious Connexions between the *Ancient Hebrews* and the Bible (XIV), Biblical and Ancient Semitic New Years (XV), Israelitish and Ancient Semitic Allegories (XVI), Ancient Semitic Paganism (XVII), Biblical and Ancient Semitic Angelologies (XVIII), Religious Poetries of the Bible and of the Ancient Semites (XIX), the Biblical and the Noachian Commandments (XX), Biblical and Pre-Biblical Festivals (XXI), Biblical and Old-Semitic Festivals (XXII), Biblical and Pre-Biblical Sacrifices (XXIII), Conclusions (XXIV).

This book is one of the very few in recent Biblical research which abound with original ideas, though not a few of them will provoke dissent. Within the compass of a review it is quite impossible to give even an indication of the salient points of this work. Many of the views presented deserve the most serious consideration. However, the author on many points falls into the error of the modern critics, in stating his opinions in positive terms and presenting mere suggestions as facts. There is no need to establish the truth of the Biblical accounts but to show

that the critical objections are inconclusive. Another defect of his methods is that he does not verify each of his statements by notes referring to the literature bearing on the subjects under discussion. The references given in the 'Anhang' are more of a general character and do not serve this purpose. Finally, the author ought to have discussed the documentary theory, unless this subject was treated in the fifth chapter which is missing. But notwithstanding these omissions, the book is an excellent contribution to Biblical research.

IV. ARCHAEOLOGY.

(9) While the books hitherto reviewed deal with the religion and history of Israel in the light of extra-Biblical sources, the following works deal chiefly with the latter sources as far as they illustrate the Biblical subjects. An archaeological work of a strictly conservative tendency is Naville's book, *Archaeology of the Old Testament*, with the sub-title, *Was the Old Testament written in Hebrew?* The object of this work is to defend the Mosaic authorship of the Pentateuch and to account for the objections of the critics to such a belief by a very remarkable theory that the Books of the Old Testament, as we know them in their Hebrew form, are not in the original language written by their authors. Against the current assumption that the Books of the Old Testament are in the language used by their authors, and that they went through one change only, that of the script, the author puts forward the following facts: Before Moses, and after his time, Babylonian cuneiform was used in Palestine for official documents, contracts, and anything connected with law. In a later period Aramaic was the book form of the Babylonians and Assyrians. The Jews who settled in Egypt wrote and spoke Aramaic. Finally, the script peculiar to the Hebrew language is not derived

(9) *Archaeology of the Old Testament. Was the Old Testament written in Hebrew?* By ÉDOUARD NAVILLE, D.C.L., LL.D., F.S.A., Foreign Associate of the Institute of France, Professor of Egyptology at the University of Geneva. New York, Chicago: FLEMING H. REVELL COMPANY, 1913. pp. xii + 212 (*Library of Historic Theology*).

from the Canaanite, but from the Aramaic alphabet. He thinks that the historical value of these facts has not been fully grasped by the critics, and that history, and not philological criticism, is the point of view from which these discoveries have to be studied. Considering the fact that the written language in the whole of Western Asia was cuneiform, the author concludes that Moses wrote in the latter language, which was pre-eminently that of laws, though he may have spoken with his countrymen the dialect they had brought from Canaan, which, however, was not a written language, but the popular idiom.

The objections of the critics that in the Pentateuch nothing comes directly from Moses, the author refutes by reviewing historically what is written about Egypt, Joseph's life, the Exodus, and the Tabernacle, and points out that all these things could not have been so exactly described by various authors living in different parts of Palestine and at different epochs; and that especially the story of Joseph could not have been written down except by a man who was in Egypt at the time when the tradition was still vivid, when the Hebrews were still in Egypt, and while they knew whose action had induced them to settle there.

The author contends that all these narratives were written not as a running book, but on tablets, and that this fact changes completely the character of the composition, as it explains repetitions as the summaries of what has been said in previous tablets. We can further distinguish the tablets which were written separately and afterwards joined together in a book, like the beginning of Genesis, from those which were to form a series and are accordingly more closely linked together. Therefore the style of composition is no longer to be judged according to the rule set down for a book. He believes that a copy of Deuteronomy was put in the foundation of Solomon's Temple, and that this book bears the character of the last words of Moses, and of a time when the people were in sight of Canaan, when they could see better in what country they were going to settle, who were the inhabitants, and what their customs.

The author thus holds that the Pentateuch was written by Moses in cuneiform on tablets and continued to be in the same form from Moses down to the exilic period. The first transformation it went through was to be put into Aramaic, and this he attributes to Ezra, as such an enterprise seems to be in accordance with his character, and with Rabbinic tradition concerning him ; and it agrees also with the circumstances of his time, as it was the epoch when cuneiform was being more and more abandoned for the popular language. And it is quite possible, as the tradition of the Rabbis alleges, that Ezra also settled the Canon of the Scriptures for the Old Testament, and may have collected and sifted the writings which were to form the sacred volume, but as it came out of his hands the volume was entirely Aramaic. On the other hand, the Books of the Prophets and the didactic Books, even if they were not originally composed in Aramaic, as perhaps some of the Psalms, must have been put in that language before the time of LXX. This change of form and script cannot be called a real translation ; it was only a dialectical modification.

Having established an Aramaic form for the Old Testament, the author finally explains the transition to the Hebrew language and script, as these two changes were simultaneous, which were effected at the time of the Christian era : 'When the Rabbis wished to give to their religion, to their laws, to their national life which rests entirely on their Books a thoroughly exclusive character, they made a dialectal modification ; they turned their Books into the language spoken at Jerusalem ; but since that had no script, they had to invent one, and they adopted a modified form not of the Canaanite but of Aramaic, the one real book-language which they already knew. Between the new script and the old one there was no greater difference than between the two idioms.'

The book consists of two parts, each of which deals chiefly with the results of one of the two great discoveries, the Amarna tablets, and Aramaic papyri of Elephantine, and is divided into seven chapters : the Language (I), Genesis before the Sojourn in Egypt (II), Egypt (III), the Journey to Canaan (IV), the Papyri

from Elephantine (V), Aramaic (VI), and the Present Form of the Old Testament (VII). Each chapter is subdivided according to the subject-matter. Having given a digest of the author's views, there is no need to enter into the details, which, however, are exceedingly instructive. Before expressing any opinion on the author's theories, we must consider the next volume, which was published two years later and deals with the same subject.

(10) The same theories are upheld in Naville's second book, *The Text of the Old Testament*, which contains three lectures delivered before the British Academy. In the first lecture the author points to the changes brought about in our views in regard to ancient history by archaeology, and to Israel's influence on mankind that is exclusively due to its books, to whose study the same methods must be applied. But in the study of Israel's history we are confronted with two contrary conceptions, one that rests on tradition, and the other of the higher criticism, in which the destructive part is predominant. In discussing the methods and results of the latter, the author examines the lines of evidence upon which it relies, and tests its results according to its principles. In the two other lectures, the author on the whole upholds his former views.

Leaving aside for the moment the author's theories, there is no doubt a great deal of truth in his arguments which cannot be lightly dismissed. This is especially true of the part that investigates the historicity of many narratives in Genesis and Exodus. The author, being an Egyptologist of high repute, is an authority on the question whether these narratives are even in small details in accordance with what is known of ancient Egypt. This is an immensely important point, far more than the problem whether these narratives were actually written by Moses, in which the author is chiefly interested. The author is certainly correct in sharply criticising the radical views of the modern critics, but goes too far in condemning Pentateuchal criticism altogether.

(10) *The Text of the Old Testament*. By ÉDOUARD NAVILLE, D.C.L., LL.D., D.Litt., F.S.A. *The Schweich Lectures, 1915 (The British Academy)*. London: HUMPHREY MILFORD, 1916. pp. viii + 82.

Without considering the philological aspect of the problem, we cannot see any reasonable objection to the author's views that many of the narratives of Genesis were originally written in cuneiform, and that Moses himself used this *script* for his legislation. We say intentionally 'script' and not 'language'. His theory would have been less revolutionary, and might have been more favourably considered, if he had insisted that Moses used the cuneiform script as a medium for the Hebrew language, and we actually possess examples of this kind in the Amarna Glosses. If other Asiatic nations used this script for their own idioms, why not the Hebrews? But his own view could be readily accepted while insisting upon the documentary theory. The principal reason for the assumption that both the Jahvist and Elohist recorded oral traditions is the current belief that the Phoenician alphabet had not yet existed in an early period. But in the light of such a theory, we might assume that both these early writers translated cuneiform tablets of the Mosaic period, each according to his own style. Such a view would of course be rejected by those who insist upon the non-historical character of those narratives. But these extreme views are becoming more and more untenable in the face of archaeological evidence, to which also the author made a notable contribution.

However, it must be confessed that the author's books are in a high degree uncritical in many of their positions. We wonder whether the author is well acquainted with the language of the *Mishnah*, which according to his theory must be contemporary with the rendering of the Scriptures into the Hebrew idiom. No scholar ever paid a greater compliment to the Rabbis than the author in crediting them with the rendering of the Aramaic Bible into the classic Hebrew of Isaiah, Jeremiah, Job, Lamentations, &c. We wonder whether the author has thoroughly compared the present Targumim and the Peshitta with the Hebrew text, so as to have a clear conception of the gigantic task of rendering an Aramaic version in the present Hebrew form. We further wonder whether the author has investigated the style and language of the various Biblical books, whose peculiarity

could scarcely have been retained if they had passed through a translation, unless he should hold that this peculiarity is due to the distinct style of the several Rabbinical translators. We may also doubt whether the author has given due consideration to the clumsy and awkward style of the Amarna letters and to the beautiful form of the Pentateuch, unless he should assume that the knowledge of the cuneiform language of Moses and the other Biblical writers was also a part of divine inspiration, and thus far superior to that of their contemporaries.

However, we cannot see how the author's theory in *its entirety* would account for the difference in style and usages of certain words and expressions in the various parts of the Pentateuch, which is the main evidence for its composite character, unless he should attribute this difference either to the work of various translators under the direction of Ezra, or to that of the various Rabbinical translators. But we regret to state that very frequently the author's argumentation is far from being strictly scientific. From a purely historical point of view it is quite irrelevant whether the Biblical narratives referring to the early history of the Hebrews were written by Moses or by another author as long as they have a real historical basis. For the history of Israel's religion it matters not whether the Pentateuch in its present form was written by Moses, but whether the laws embodied there are of Mosaic origin. If the author used the historical method, he ought to have considered the remarkable phenomenon that Moses should have presented his laws to Israel not in the form of a code, but in that of an history or biography which certainly stands without an historical parallel. This may have been the case, but we have no argument against those who deny that Moses should have deviated from the usage of other legislators. But the main error of the author is that he argues against the advanced critics and entirely ignores the position of those who recognize the documentary theory, but do not deny the Mosaic origin of the Biblical laws nor the historicity of the Biblical narratives.

(11) Another archaeological work of a strictly conservative tendency is J. Politeyan's book, *Biblical Discoveries in Egypt, Palestine, and Mesopotamia*, the object of which is to furnish evidence in support of the Biblical tradition. The Biblical history is interpreted not only in the light of the archaeological remains, but also occasionally in accordance with the results of natural science. As for instance, it points out that the broad outline of the facts of the Creation narrative, Gen. 1, though not written in scientific terms, is in harmony with science, and this chapter has evoked even the admiration of Prof. Heackel, whose observation is quoted. Concerning the unity of the human race, several anthropologists are quoted who hold that there is nothing in the diversity of the various races inconsistent with the belief that all men have descended from a single pair, because man has developed diversely under the influence of social, physical, and climatic surroundings. As to the unity of language, an authority is quoted that there are some 170 ancient monosyllabic roots which are common to the three main groups of languages.

The book is the results of lectures given to a 'summer school' in connexion with the London Jews' Society. It consists of six chapters, and contains a chronology of the Old Testament, a chronological chart, and a bibliography. Leaving aside the numerous interpretations, which are somewhat forced and of homiletic rather than of exegetical character, the book on the whole is interesting and valuable, as the subject-matter is dealt with in a brief style, and it contains a large amount of useful information. It is not intended for the student, but for the general reader, to whom it will no doubt prove both instructive and edifying. Though there is no first-hand information, the author has consulted a large number of authorities on archaeology and other matters, and understands how to apply this knowledge to Biblical subjects in a rather original way.

(11) *Biblical Discoveries in Egypt, Palestine, and Mesopotamia*. By the Rev. J. POLITEYAN, B.A. With Foreword by the Rev. Canon R. B. GIRDLESTONE, M.A. London: ELLIOT STOCK, 1915. pp. x + 194, 2 maps, and 14 illustrations.

(12) A similar work of a conservative tendency is J. Baikie's book, *Lands and Peoples of the Bible*, the aim of which is to provide a background upon which to project the Scripture narrative, and to enable the reader to form some conception of the great lands and nations with whom the Hebrews had to deal. The author lays no claim to be original in this work, as its main function is to present in small compass facts for which the student might otherwise have to seek through large and costly treatises. The book consists of three sections, which are divided into fourteen chapters. It seems that the interest of the author in the archaeology of the Old Testament is only so far as it lies at the basis of the Christian faith. This is especially true of the first section, which deals with the leading features of Palestine and their significance, Southern Palestine, Samaria and Galilee, and the peoples of Palestine, and which may rightly be termed Christian archaeology. As a whole, the subject is presented from the point of view of the New Testament, and the chief interest centres in the condition of Palestine at the rise of Christianity. The author judges the character of the people of Judaea by their attitude toward Jesus, which accordingly is painted in dark and unsympathetic colours. But there are other points in this section of more general interest, especially the chapter which deals with the ancient inhabitants of Palestine—the Horites, the Hittites, the Amorites, and the Philistines, whose characters are illustrated by the recent excavations in Palestine. The treatment would be more sound if the views expressed were given as suggestions and not as absolute facts. Thus, for instance, it is wrong to state that the Israelites knew next to nothing about the Horites, since according to the Biblical traditions, in which the author firmly believes, the Horites still existed at the period of the Patriarchs. This fact alone shows that they cannot be identified with the pre-historic 'cave-dwellers'. Their identification with the Hittite-Mitanni *Harri* is more probable. Nor is there any reason for

(12) *Lands and Peoples of the Bible*. By JAMES BAIKIE, F.R.A.S.
London: ADAM and CHARLES BLACK, 1914. pp. xii+288.

the emphatic assertion that the invention of the Phoenician alphabet was due to the Philistines. This was first suggested by Macalister for the purpose of vindicating the honour of the Aryan Philistines, whose name has become a byword for common and stupid people.

Highly interesting is the discussion of the religious customs of the Canaanites as revealed by the excavations. 'The charge of iniquity' made against the Canaanite races in the Old Testament has been proved by absolutely unimpeachable evidence that comes from the hands of the Canaanites themselves; it vindicates the morality of the Old Testament, which commanded their destruction. In all the arguments directed to prove the defective morality of the Old Testament, this command never fails to come to the front. The author observes: 'There are some dreadful things which are in reality merely sanitary measures; and if ever carnage was "God's daughter" it was when the Israelites swept away, not half thoroughly enough, the abominations with which the iniquity of the Amorite had cursed the land of promise' (p. 67). But we may add that the human sacrifices to which the author refers could not have been native to the religion of the Palestinian Semites, as we might otherwise have found them among the Babylonians, and cannot have been due to Egyptian influence either. But there can be no doubt that the practice of human sacrifice was one of the distinct features of the Greek religion down to the sixth century. If the Aryans exercised any influence upon the Canaanite civilization this Canaanite practice may be due to them.

The second section deals with the Assyrians and Babylonians. The description is fairly accurate, but the chronology is obsolete. The third section deals with Egypt and the less-known nations. Special points of interest are the references to the Biblical religion and history. As for instance, the question is discussed whether the Egyptian religion modified that of the Hebrews, and it is pointed out that the Hebrews did take something from the Egyptians, but it was not ideas they borrowed—only forms and practices. However, we may add that the very fact that the

Hebrews borrowed from the Egyptians forms and practices testifies to the influence of Egypt upon the Hebrews, though they did not take over religious ideas. We have an exact parallel in the Alexandrian period. The book contains also an appendix on the Date of the Exodus, in which the various views are discussed. The author is of the opinion that if the Hebrews had been fairly established in Palestine by the end of the eighteenth dynasty we would have found in the Hebrew records references to the great losses caused by the invasions of Seti I and Raamses II and Merneptah, and therefore thinks that the date of the Exodus might be placed at the end of the latter's reign. But the statements of Egyptian rulers are far from being exact, and a mere raid is frequently presented as an important campaign. The book is very interesting, as it contains many valuable suggestions and inferences which show historical acumen.

(13) A work of similar contents is Ch. L. Bedale's book, *The Old Testament and Archaeology*, the aim of which is to give examples, by selecting some of the most important discoveries, of the way in which our knowledge of the political, social, and religious life of Israel has been increased. The book consists of four chapters. Chapter I, entitled Israel's Predecessors and Neighbours, describes the palaeolithic and neolithic periods, the aborigines, and the coming of the Semites and Hittites. Chapter II, entitled the Civilization of Canaan, deals with the material and religious elements. Of interest is the following remark: 'It was inevitable that the Israelites should adopt the trades and occupations and many of the habits of the people among whom they dwelt. But the situation was one of considerable peril. The material and the religious elements of the Canaanite civilization was so closely bound together that the adoption of one was almost certain to involve the adoption of the other, and to a very large extent, in the case of the majority of the Israelites, that is what actually happened.' Chapter III

(13) *The Old Testament and Archaeology*. By CHARLES L. BEDALE, M.A. (*Manuals for Christian Thinkers*). London: CHARLES H. KELLY. pp. 134.

gives an outline of the history of Israel in the light of the monuments, from Solomon to the fall of Jerusalem. Of special value is Chapter IV, entitled Israel's Triumph. It deals with the question how Israel's importance is to be explained. Notwithstanding the close of its career as an independent state Israel triumphed. Our wonder at this phenomenon grows even greater as we recognize her comparative poverty and failure in other respects. Some, finding the marvel too great for their acceptance, have maintained that Israel's religion, like its material culture, was borrowed, and on the ground that there are numerous points of contact between the religious beliefs and practices of Babylonia and Israel, have pointed to Babylonia as its home. The author proceeds to show the superiority of Israel's religion to that of Babylonia by the incantation texts, the creation and deluge stories. It is the abiding glory of Israel of having produced a religious literature surpassing not only the Babylonian, but also that of every other nation in the world.

The book is a very useful archaeological manual, as it presents within a narrow compass the archaeological knowledge absolutely necessary for the study of the Old Testament. The information is accurate, the inferences are reasonable, and show an unbiassed judgement, the style is crisp, clear, and attractive. Its tendency is on the whole conservative, without insisting in each point upon the traditional view. The chronology is correct with the exception of two dates. Lugal-zaggisi is rightly placed 2800, while Sargon I, who overthrew the latter, is dated 150 years later, about 2650. Hammurabi is dated 1958-1916, which is quite impossible.

(14) Similar, but more comprehensive, is W. Cruickshank's book, *The Bible in the Light of Antiquity*. The modest appearance of this small volume does not suggest its high value, for it is actually an excellent handbook of Biblical archaeology, and pre-

(14) *The Bible in the Light of Antiquity*. A Handbook of Biblical Archaeology by Rev. WILLIAM CRUICKSHANK, B.D., Kineff (*Guild Text-books*). London: A. and C. BLACK; Edinburgh: R. and R. CLARK, LTD., 1913. pp. viii + 146.

sents an exact and succinct account of the whole mass of archaeological material for the proper understanding of the Bible in the present state of our knowledge. The work, as the author says, is merely intended as a review of the results of explorations and excavations in Bible lands, and as this work is being continued, there can be no finality in a book which professes to deal with the results of these operations. He points out that discoveries as sensational as any hitherto made may at any time be announced from some place in the East, and this may lead to modification or abandonment of views presently held; for this reason one must exercise caution in expressing opinions. The author is not concerned with the prehistoric remains of Palestine, but confines his attention to the period that coincides with Biblical and especially Old Testament times. While interested in every discovery from any quarter in the East that casts light upon the Bible, he chiefly deals with the discoveries relating to the land with which the latter is most clearly connected.

The book consists of five sections divided into twenty-seven chapters. Section I describes the general features of Palestine, the excavations conducted there, its inhabitants, and the powers with which it came in contact. Section II is entitled Society, and deals with the position of the king, with war, law, family commerce, money, weights and measures. Section III shows the condition of agriculture, arts and crafts, and gives a description of housing, food, dress and ornaments, games and amusements. The two last sections, which deal with education, language and literature, traditions, beliefs, and doctrines, and many other subjects, are of special interest. There are constant references to Biblical passages on which the subjects discussed have some bearing. A pleasing feature of this work which greatly facilitates its use as a book of reference is that the subjects under discussion are printed in large type, and so are the headings of each paragraph. There is no need to discuss the views presented, as they contain very little to which one may take exception.

(15) While the information on the excavations of Palestine given in the last two volumes is quite sufficient for the Bible student, those desirous of being made thoroughly acquainted with this subject will do well to consult P. S. P. Handcock's book, *The Archaeology of the Holy Land*, the object of which is to give an account of the arts, crafts, manners, and customs of the inhabitants of Palestine from the earliest times down to the Roman period. It is a highly scientific work based for the most part on Macalister's *Excavations of Gezer*, but the treatment on the whole is rather dry, and numerous facts dwelt on are of interest for the archaeologist rather than the Bible student. It would make more congenial reading if the subject-matter were presented throughout in the light of the Scriptures, as is done here and there, and especially in the last chapter. But the author himself does not believe that the results of these excavations are of immense value for Biblical studies, as he observes: 'On the whole, archaeology throws little new light on the religious practices and customs which obtained in Palestine during the pre-Christian Semitic periods. The excavations have indeed filled in some of the details and intensified the colours, but they have not made any material alteration in the picture which we already had. The prevalence of foreign influence—Egyptian, Mycenaean, Babylonian, Assyrian, and Greek—could be readily inferred from the Biblical records, but the precise effect of these exotic influences on the religion of the country is still largely a matter of speculation' (p. 372 f.). However, the very fact that the Biblical records are being confirmed by the archaeological remains is a matter of no small importance for the question whether the Biblical authors are reliable, whose testimony we may trust also on matters not connected with archaeology. But on one point the author claims that a Biblical statement is disproved by archaeology: 'None of the fortification works at Jericho shows any sign of having been destroyed to the extent that a reader of

(15) *The Archaeology of the Holy Land*. By P. S. P. HANDCOCK, M.A. With coloured frontispiece, 25 plates, 109 figures in text, and 2 folding plans. New York: THE MACMILLAN COMPANY, 1916. pp. 383.

Joshua 6 would naturally suppose' (p. 101). However, the whole lengthy discussion of Sellin's view that the wall excavated is of Israelite origin is gratuitous. The author observes: 'No reasonable person who is not blinded by prejudice or biased by a desire to bolster up an unsupportable theory can have any doubt as to the meaning of Joshua 6. 20. The writer obviously meant that as the result of the blowing of the trumpets and the processional march of the priests, the wall of the city collapsed *as a whole*, the fall being in the nature of a miracle' (p. 102). But if the latter was indeed the case, there was no need for encompassing the city seven days in succession, and on the seventh day seven times. These long and weary religious ceremonies could not have been without a reason. Furthermore, to any reasonable Bible student it must be clear that in the Biblical conception miracles happen only when human agency is at the end of its power; yet the Biblical author does not indicate in the least that the Israelites had made any effort to conquer the city in a natural way. Finally, if Jericho fell by a miracle, there was no need for the Israelites to fight at all. Therefore we may just as emphatically state that no reasonable person, who understands the Biblical mode of thought and expression, can have any doubt as to the meaning of the encompassing the city for many and many times, that it was in the nature of a stratagem by which the vigilance of the defenders was naturally relaxed—any modern garrison might be deceived in the same way. Seeing the besiegers day after day performing these religious ceremonies instead of attacking the city, the defenders naturally made fun of these proceedings and became tired of watching them. Thus we may well imagine that just at a moment when some parts of the wall were free from defenders, the Israelites rushed amid shouting to the wall and effected several breaches in it. We may rest assured that the besiegers did not merely 'shout', but attacked the wall at the same time. It is very likely that the record of the conquest of Jericho was taken from the Book of *Jashar*, just as that of the battle against the five kings (Joshua 10), and records of this kind, while substantially true, ought not to be taken literally.

The book consists of nine chapters. After an introductory chapter on the pre-Semitic, the various Semitic and the Hellenistic periods, there follow descriptions of the caves and rock-cuttings of the Troglodytes (II), the Architecture (III), Flint, Bone, Ivory, and Stone (IV), Metallurgy (V), Pottery (VI), Terra-cotta (VII), Burial Customs (VIII), and Worship and Places of Worship (IX). Of general interest are the last two chapters which contain many references to Biblical customs. Peculiar is the author's view that the pig was not regarded as an unclean animal. He observes: 'In spite of the abhorrence with which that animal was subsequently regarded, it was sometimes used as a sacrificial victim by the Semites (cf. Isa. 65. 4; 66. 17). This practice hardly seems reconcilable with the prevalent view that it was an unclean animal' (p. 361). But Isaiah's very words to which the author refers: 'which eat swine's flesh, and broth of abomination is in their vessels'; 'eating swine's flesh, and the abomination, and the mouse', leave no room for doubt that the pig, like the mouse, was regarded by the Israelites as an unclean animal, and that this conception is not due to a later 'authoritative priesthood', which the author so unjustly arraigns. As a matter of fact, the pig was from the earliest period considered unclean among the Semites and the Egyptians. It is noteworthy that in the Carthaginian laws of sacrifices the pig does not occur as a sacrificial animal, while the sacrifices mentioned are on the whole identical with those of the Hebrews.

(16) Comprehensive beyond comparison with the archaeological volumes hitherto reviewed and of quite a different character in the presentation and treatment of the archaeological material is George A. Barton's book, *Archaeology and the Bible*. There can be no difference of opinion that this book is in every respect, in its form of presentation, its contents, accuracy, and fullness, a most brilliant work. Here for once, as far as we

(16) *Archaeology and the Bible*. By GEORGE A. BARTON, Ph.D., LL.D., Professor of Biblical Literature and Semitic Languages in Bryn Mawr College (*Green Fund Book*, No. 17). Philadelphia: AMERICAN SUNDAY SCHOOL UNION, 1916. pp. xiii + 461, 9 maps, and 302 illustrations.

can see, we have a Biblical archaeology, in which the material is presented in an impartial way, and the author does not intrude his own particular opinions upon the reader, but gives both the modern and conservative inferences, and maintains throughout a neutral attitude on controverted points. The need of such a work was long felt among students of the Bible. As far as the translations of the cuneiform texts are concerned, we have here first-hand information, as the texts have been on the whole freshly translated by the author especially for this work, and the author's name, well known as an eminent Assyriologist and authority on Sumerian, is a full guarantee for their accuracy. Though the work is especially written for the use of the pastor and Sunday-school teacher, the treatment is thoroughly free from any religious bias, and it ought to be consulted by religious teachers of any denomination. It is a standard work on Biblical archaeology, and will very likely maintain this prominent position for some years to come. Its object is to present the most valuable information of all sorts that excavation has brought to light, the wealth of illumination for Biblical study that exploration has produced, and an outline of the history of the exploration in the Bible lands sufficient to enable the reader to place each item in its proper perspective. No attempt has been made to treat subjects to which exploration has contributed no new knowledge.

The book consists of two parts. Part I, divided into fifteen chapters, treats of the Bible lands, their exploration, and the resultant light on Bible land history, and Part II, divided into twenty-seven chapters, presents translations of ancient documents which confirm or illuminate the Bible. In Part I, Chapters I-III deal concisely with the discoveries, archaeology, history, and civilization of Egypt, Babylonia, and Assyria, and the Hittites. A much more detailed treatment is given to Palestine, to which Chapters IV-XIV are devoted, which deal with its exploration, archaeological history, cities, roads and agriculture, pottery, utensils and personal ornaments, measures, weights and money, high places and temples, tombs, Jerusalem and the Decapolis (the ten cities in which Greek population was dominant and

which formed a federation). Chapter XV presents the discoveries in Asia Minor which throw light on the New Testament. In Part II the translations of ancient documents are arranged in the order of the Biblical books which they illuminate. Each translation is accompanied by a brief discussion in which its chief bearing on the Bible is pointed out. In these discussions the author maintains a neutral attitude, and in each case reports impartially the principal inferences drawn by the most important group of scholars, that the reader may know something of the latitude of opinion that prevails. He observes: 'The temptation is always strong to declare that the interpretation of an ancient record which accords with one's own view must be right. But unfortunately problems in ancient history that are thus dogmatically settled, do not remain settled. A deeper faith, confident in the final triumph of truth patiently awaits further light' (p. 233). It is sincerely to be regretted that this attitude is not shared by the largest and most influential part of the modern critics.

Of the second part, the first two chapters contain the two Babylonian accounts of Creation, which are compared with Gen. 1-2. The third discusses the Babylonian Sabbath. In the fourth, the legend of Adapa is compared with the Fall of Man. The fifth treats of the Hebrew and Babylonian antediluvian patriarchs. The attempt to prove that the names of the former are identical with those of the latter is decidedly forced and far-fetched. But there can be no doubt that the names of the Hebrew patriarchs are Babylonian, either Akkadian or Sumerian. An attempt to explain these names independently of those of the Babylonian antediluvian kings is not difficult. As for instance, the name of *Abel* might correspond to cuneiform *aplu*, 'son', which in Babylonia was evidently pronounced *ablu* (cf. Merodach-bat-adan, but Tiglath-pil-eser). The name *Cain*, who 'was a tiller of the ground', might be connected with Sumerian *gan*, 'field'. In *Seth* we may perhaps see Sumerian *shitim*, 'skilled workman'. *Enoch*, which is also the name of a city, might be a rendering of Sumerian *hen-uku*, 'abundance of the people'. *Methusael* of course corresponds to cuneiform *Mutu-sha-ilu*, 'the

man of God'. *Irad* might be identical with the city-name *Eridu*, 'the good city'. *Lamech* might possibly correspond to *Lam-ki* perhaps, 'the splendour of the place'. *Jared* might perhaps be the Hebraized cuneiform word *warad*, 'servant'.

Chapters VI–VII contain Babylonian accounts of the Deluge. We notice that Hilprecht's fragment of the Deluge story is not referred to. Chap. VIII contains an account of the origin of a city and the beginning of agriculture from a tablet written in Nippur before 2000, which Langdon published under the title, *The Sumerian Epic of Paradise, the Flood, and the Fall of Man*, Philadelphia, 1915. The author does not share Langdon's view that this text deals with those subjects. Chapter IX is entitled Abraham and Archaeology, and contains some contracts from Babylonia, in which an Abraham (*Abarama*) was one of the contracting parties, but this man was not the Biblical patriarch. In this connexion it is worth mentioning that while the name *Abarama* corresponds to Biblical *Abram*, Lutz, in his publication *Early Babylonian Letters*, New Haven, 1917, called attention to the name *A-ba-ra-ḥa-am* (No 15, 13), which perhaps corresponds to *Abraham*. This chapter contains also a discussion of Gen. 14. Chapter X deals with the archaeological material that has a bearing on the stories of Jacob and Joseph. Chapters XI–XII give the tale of Sinuhe, the legend of Sargon, and the inscription of Merneptah. Highly instructive is Chapter XIII, which presents the laws of Hammurabi and the Biblical parallels. The author goes decidedly too far in declaring that the laws of the Old Testament are in no essential way dependent upon the Babylonian laws. Jampel's opinion that the laws of the pre-Mosaic Hebrews were, as far as they could be applied to their circumstances, identical with those of the Code of Hammurabi, and that many of them were embodied in the Mosaic legislation, is certainly very reasonable, and in full accordance with the Biblical traditions. The author's opinion is more in accordance with that of S. A. Cook in his work, *The Laws of Moses and the Code of Hammurabi*, who attempts to show the originality of the Mosaic laws. But as Johns, in the following book reviewed, rightly

observes: 'For such critics it is vital to maintain the exclusion of external influence. There is no criterion of date for them if the orderly continuous evolution along well-known lines can be supposed to be overwhelmed by a catastrophic influence from without.'

Chapter XIV gives an alleged parallel to Leviticus, a Carthaginian law concerning sacrifices. The striking similarity of the latter to the former is significant, as it would show that a considerable number of the regulations of the ritual go back to an early period before the foundation of Carthage by the Phoenicians. Chapters XV–XVI contain Palestinian letters of the Amarna period, and the report of the Egyptian Wenamon who was sent to the Lebanon to fetch cedar woods. Chapter XVII, entitled *Archaeological Light on the Books of Kings*, gives among others the Egyptian list of the Asiatic cities conquered by Shishak, Assyrian references to Palestine, the Moabite and the Siloam inscriptions, and some Neo-Babylonian references. Chapter XVIII deals with the end of the Captivity, and gives inscriptions of Nabunai'd and Cyrus which have a bearing on Biblical statements regarding Belshazzar, the Book of Daniel, and the return of the Jews.

Highly important is Chapter XIX, which discusses the Elephantine papyri. It is strange that the author in dealing with the problem of the origin of the Jewish colony in Egypt entirely ignores the account of Jeremiah concerning the immigration of the Judaeans into Egypt. The temple at Jeb may well have been built by these immigrants, of whom some may have entered as soldiers in the service of the Egyptian king. Further, the author omitted to mention the fact that there are indications that the Jewish colony at Jeb were not pure Jahveh-worshippers. From such a point of view the inferences would have been somewhat different. Chapters XX–XXIV present Babylonian poems of affliction, which show similarities to the Book of Job, psalms from Babylonia and Egypt, parallels to Proverbs and Ecclesiastes, Egyptian parallel to Canticles, and illustrations of passages in the Prophets. The three remaining chapters give reputed sayings of

Jesus found in Egypt, archaeological light on the enrolment of Quirinius, and on the Acts and Epistles. The 301 beautiful illustrations add to the value of this work.

Considering the author's liberal attitude toward all shades of opinion, we shall not enter into a discussion of the various inferences concerning Biblical subjects. We confine ourselves to a few points in the outline of the Babylonian history, as some of them have an important bearing on the Biblical accounts. We notice that the author unreservedly adopted Eduard Meyer's view that the Semites were the first to arrive in the Euphrates valley, which, however, has very little justification, and is scarcely in accord with Biblical tradition. The statement that after the fall of the First Dynasty of Babylon 'the Hittites appear to have ruled the country for a short time, when they were driven out by the Dynasty of the Sea-Lands, which so far we know controlled the country for the next hundred and fifty years' (p. 59), is not exact, as we have no evidence that Akkad was ever under the rule of the Second Dynasty. This view is scarcely more than an assumption based upon the opinion that Ea-gamil, the last king of this dynasty, was a contemporary of Kashtiliash, the third king of the Kassite dynasty. But there may have been another king bearing the same name, since among the Kassites, as among the Assyrians and others, we find various rulers bearing the same name. There indeed were two kings of the name Kashtiliash, and why not a third? In the Kassite dynastic list there is a lacuna of one hundred years at least that cannot be filled out by other sources, comprising it would seem the kings of the sixteenth century. Therefore, the Kassite king Kashtiliash, in whose time the Second Dynasty terminated, may belong to this period. This would well accord with Kugler's lowest date for the year of accession of Ammi-zaduga, the year 1857, as the date of the Second Dynasty, which was established in the twelfth year of Samsu-iluna, and lasted 368 years, would be 1942-1574. The acceptance of this date would solve two important problems in Babylonian history. Firstly, it would explain the absence of any archaeological evidence of the rule of the Second Dynasty

in Akkad. Secondly, it would show that the Kassites did not wait 150 years for the conquest of Babylonia, but entered into its possession a comparatively short time after the downfall of the Hammurabi Dynasty. It is highly probable, as generally suggested, that there were some relations between the Hittites who overran Babylonia and the Kassites who took possession of this country.

But of more importance is the bearing that this date would have upon Biblical chronology and incidentally upon Genesis 14. The incident narrated there could have occurred only before the thirty-first year of the reign of Hammurabi, and not later. Notwithstanding the difficulties pointed out by the author in the identification of Amraphel with Hammurabi, we must insist upon that all the circumstances of that incident point to the latter's reign. But according to the current date of that king, 2123-2081, in agreement with Kugler's second date for the accession-year of Ammi-zaduga, Abraham could not have been a contemporary of Hammurabi. The former, according to the Biblical chronology, entered Canaan 645 years before the Exodus. As to the latter assumption held by many conservative scholars that it occurred before the Amarna period, under the powerful Eighteenth Dynasty, it may be safely dismissed as out of consideration. The modern current view that the Israelites entered Canaan about 1200 would not be in accordance with the account of the Book of the Judges. It would be almost impossible to crowd all the events narrated there into the brief space of about 150 years, even if some of them occurred simultaneously. Naville's evidence for a later date and that the Pharaoh of the Oppression was Raamses II, in his work *The Store-City of Pithom*, is of little value, as we know that this vain king appropriated many earlier works, and the building of the cities Pithom and Raamses may have begun under the Eighteenth Dynasty and was finished under his reign. Therefore, the Exodus must have occurred in the interval between the Eighteenth and the Nineteenth Dynasties, thus about 1350. We need not dwell upon the conditions of this period, and how favourable they were for the liberation of the Hebrews. But we

may point out, by the way, that there is reason to assume that the Exodus was incidentally due to Amenophis IV, who suppressed not only all the cults of the Egyptians in establishing the monotheistic religion of the Solar Disc, but also that of the Hebrews, and the latter first clamoured merely for religious liberty. From the Biblical account we may indeed gather that the Exodus had its starting-point in a purely religious movement. Thus, in accepting Kugler's lowest date, the year of Hammurabi's accession would be 2000, and about the same time we may place Abraham's departure from Ur of the Chaldees.

(17) A work that deals with one of the most important phases of archaeology to which we have already referred in the former reviews, is C. H. W. Johns' book, *The Relations between the Laws of Babylonia and the Laws of the Hebrew Peoples*. In comparing the Code of Hammurabi with the Mosaic laws, the author takes the view that the former belongs to the same group of ancient legislation as the Hebrew, and that both are compromises between two distinct types of law, the one of primitive Semitic custom, and the other of a settled community. Both the Israelites and the West Semites, to whom Hammurabi belonged, previously obeyed primitive laws, and forming as they did the ruling races in Canaan and Babylonia, clung with Oriental conservatism to their primitive customs. But the West Semites found in Babylonia the laws of a settled community, which may have been evolved through long ages. Similarly, in Canaan the Israelites found a long-settled people in possession who were governed by laws similar to those of the settled Babylonians. Much that is common to the laws of the two settled communities may have arisen independently. As the Israelites became a settled population many of their nomad customs must have become inappropriate, and they might have taken over the laws of the Canaanites, as far as they were innocent, or not too obnoxious to Hebrew

(17) *The Relations between the Laws of Babylonia and the Laws of the Hebrew Peoples*. By the Rev. C. H. W. JOHNS, M.A., Litt.D., Master of St. Catharine's College, Cambridge. *The Schweich Lectures, 1912* (*The British Academy*). London: HUMPHREY MILFORD, 1914. pp. xv + 96.

prejudices. Thus the common material of the two Codes may be due to one of the two common sources, primitive Semitic law and the law of settled communities. The author thus thinks that both legislations are compromises between the two types of law, that they show different degrees of preponderance of one or the other type, and that the laws of Moses manifest an independent development strongly influenced by the Code of Hammurabi.

The book consists of three lectures delivered before the British Academy. The first deals with the external features of the Code of Hammurabi, dwelling chiefly on those that are useful for a comparison with the Israelite legislation, and describes the discovery of the Code, its form and script and the fragments of several copies, the state of society and its laws. The author points out that the state of society bears surprising likenesses to that of Europe in the Middle Ages. The law itself is no less advanced. Justice has replaced vengeance. Self-help is restrained, if not suppressed. There is full protection for the weak, the widows, and orphans. Women are placed in a position of freedom and independence of their husbands. Education was at such a high pitch that Hammurabi assumes that every injured person would come and read for himself the laws that applied to his own case, or at least find a neighbour who could do so. In many respects we find the most extraordinary medley of ancient and modern laws. The extraordinary confidence in the power of the oath to secure truthful witness is remarkable. The tenure of a Babylonian retained of the king reveals strange likenesses to the feudal system. We have here the institution of the will, the invention of which has been usually ascribed to the Romans.

The second lecture points out the types of likeness between the Babylonian and Hebrew laws, and the associated contrasts. Notable is the author's reference to the Rabbinical interpretations: 'We are sometimes assured that the discussions of the Jewish Rabbis embody all the results of modern criticism. Certainly they do contain an amount of material for the elucidation of the Mosaic laws which is almost bewildering in extent. . . .

In fact it seems to be the case that the later Jewish interpretation of the Mosaic law so closely follows Babylonian law that it may be regarded as no less a commentary on that legislation. Our task would soon be at an end if we could be sure that this traditional view was not strongly influenced by the Jewish exile, but really represented what the old Jewish law was intended to be. . . . Very little more need be said than that the Jews with their wonderful adaptability to the customs of the land of their adoption which has always rendered them the best of citizens, readily assimilated all that was good in Babylonia while preserving also the best things in their ancient law and jealously guarding whatever was sacred by its religious value' (p. 15 f.). The author's arguments are evidently directed against views as advanced by Jampel in his work reviewed above (8).

Of still more interest are the author's views of modern scholarship, to which we have already repeatedly referred: 'Modern scholarship has succeeded in fixing and separating out of the Books of Moses a number of different sources or documents. . . . We must accept these results, so far as we can get a notion of them, and refer to the separate codes rather than to a single body of laws known as those of Moses. No one can venture to dispute these decisions on pain of being reckoned reactionary and obscurantist. These scholars hold the seat of authority, and it would be rash presumption to question their ruling. Nor have I any wish to do this. Yet it may be hoped that they will pardon a sigh of regret on our part that we are now unable to compare the Mosaic law as a whole with the Code of Hammurabi. It would be so much easier for the lecturer, and the indebtedness of Moses to Hammurabi so much more convincing to you. Sadly as many have lamented the tearing of the great law-book into pieces as rendering it a mere thing of patches and shreds, they may take comfort that its present condition renders it much harder to recognize the characteristic texture of the Babylonish garment' (p. 16).

But while the author is far from being convinced of the modern views, though granting for purposes of comparison that

the Book of the Covenant is the sole relic of the earliest Hebrew legislation and that the rest may be regarded as later development, he cannot accept the traditional view either, as here tradition itself imports many difficulties. If we set Moses at his old place in history and accept the traditional synchronism of Abraham and Amraphel, and the modern identification of the latter with Hammurabi, the Hammurabi Code is thus as much older than the Mosaic law as Abraham is before Moses. On the authority of Moses himself that means 340 years. But the Babylonians reckoned 550 years from the death of Hammurabi to the death of Kadashman-Ellil, a contemporary of Amenophis while that king was still sovereign of Palestine and therefore before Moses. The author goes on to attack the identification of Amraphel with Hammurabi, and thereby incidentally the authenticity of Gen. 14, though he asserts: 'This fact neither confirms nor contradicts the Hebrew narrative' (pp. 17-20).

However, on these points the author is utterly wrong. According to the Hebrew version—not LXX—we find 650 years at least between the departure of Abraham from Ur and the Exodus. If the latter took place shortly after the death of Amenophis IV, as the present writer suggested above in his review of Barton's book (16), the date of Abraham would be in full agreement with that given by the author to Hammurabi. Further, the author is of course wrong in denying that Biblical Shinear is the name of Babylonia, though originally it may have designated only the southern part Shumer. We cannot expect the Biblical writer to call Amraphel king of Babel or Akkad, as to him these were the names of cities situated in the land of Shinear. As to the corruption of the names mentioned in Gen. 14, there is nothing strange about it. We must bear in mind that the Biblical writings have undergone frequent transliterations from the Phoenician into the Aramaic characters of the fifth century and from the latter into other modifications of this script, and that the copyists in all likelihood had not the slightest idea of the meaning of those names which thus may have become easily corrupted. As for instance, in the Aramaic characters prevailing in the fifth century

in Egypt, the distinction between *waw* and *lamed* is frequently very slight, it is thus the original name *Amrapū* may have become *Amrapel*. Moreover, we must remember that those names may have become corrupt long before the narrative of Gen. 14 was committed to writing, as corruptions of foreign names occur very frequently. We have only to think of the name *Shulmanu-asharid* which became Shalmaneser, or *Sharru-kēnu* = Sargōn, *Ashurbani-pal* = Osnappar, *Nabu-kudurri-ušur* = Hebraized Nebuchadnezzar, of the Greek transliterations of the names of the Persian kings, none of which is correct, and of the various writings of these names in cuneiform. Further, if the name generally read *Arad-Sin* was pronounced *Eri-Aku* = Arioch, the name *Rim-Sin* may have been pronounced *Riw-Aku*, which might likewise correspond to *Arioch*. The people in the Westland may not have had the least idea of the fact that the king *Eri-Aku* was succeeded by his young brother who bore a similar name. But it seems that both *Arad-Sin* and *Rim-Sin* were merely the nominal rulers of Larsa, while the real sovereign was their father, *Kudur-mabug*.

The author's further question: 'At what period of Hammurabi's reign was an alliance with his life-long enemy *Rim-Sin* likely or even possible?' (p. 19), rests on the current misconception of the Babylonian history of that period. A thorough investigation would show that *Sin-muballit*, the father of *Hammurabi*, was decidedly defeated by *Kudur-mabug*, *Rim-Sin*'s father and guardian, in the last year of his reign, and may have lost his life on the battle-field. He evidently came to the assistance of *Isin*, whose king *Damkilishu* may have been his suzerain. *Isin* was conquered, and *Hammurabi* on his accession was forced to recognize the suzerainty of *Kudur-mabug*, who on his part may have been the vassal of the overlord of *Elam*, and it was only after the death of the former that *Hammurabi* could make himself independent and encroach upon the dominion of *Rim-Sin*. The 30 years of the *Isin* era correspond to the first 30 years of *Hammurabi*'s reign. His dominion must have been rather insignificant in his twenty-third year, as seen from

the Sippar building inscription, published by A. Ungnad in his publication *Babylonian Letters of the Hammurabi Period* (BE.VII), Philadelphia, 1915, p. 30 f. The author's final question: 'When did either make an expedition to the West under the suzerainty of Elam?' is no less a misconception. We know that Hammurabi was king of Amurru, as he styled himself, and it is generally admitted that his empire included Syria and Palestine, and yet we may ask: when did Hammurabi undertake an expedition to the West? As to the rule of Elam over the West, the present writer has some suspicion that Rim-Anum may ultimately prove to be identical with the Biblical Kedorlaomer. Rim-Anum may have been the adopted Babylonian name of this Elamitic king and a translation of his Elamitic name.

The essential importance of this work lies in the third lecture, which discusses the extent of dependence of the Mosaic laws upon that of Hammurabi. There is no need to enter into a discussion of the author's views, which are so obvious as to be almost beyond any doubt. We can only express our regret that the author submits under protest to the critical views and treats the Mosaic laws from that point of view. Sane scholarship is deeply indebted to the eminent scholar for this splendid monograph that must be read to be fully appreciated. The book contains also an immensely valuable survey of the bibliography of the literature relating to the Code of Hammurabi.

(18) Another work dealing with Israel's laws as well as those of other Semites from a social anthropological aspect is H. Schaeffer's book, *The Social Legislation of the Primitive Semites*. This is a notable contribution to Semitic studies, as it contains a great amount of information which is investigated and presented in a scholarly way, the subject-matter is full of interest, the style is clear, and it makes pleasant reading. But we regret to find that its treatment is predominated by views of the most advanced critics which as a rule are almost indiscriminately accepted. It

(18) *The Social Legislation of the Primitive Semites*. By HENRY SCHAEFFER, Ph.D. New Haven: YALE UNIVERSITY PRESS. London: HUMPHREY MILFORD, 1915. pp. xiv + 245.

contains fourteen chapters which deal with Matriarchy (I), Patriarchy (II), Agnation (III), Next-of-kin (IV), Slavery (V), Interest (VI), Pledges and Security (VII), the Social Problem as viewed by the Prophets (VIII), Poor Laws (IX), Sabbatical Year (X), the Year of Jubilee (XI), Ezekiel's Plan of Allotment (XII), Taxation and Tribute (XIII), and the Development of Individual Land-ownership in Israel (XIV).

In Chapter I the author discusses the evidence for the existence of matriarchy among the early Hebrews. The evidence from female tribal names as Hagar and Keturah, Leah and Rachel, Bilhah and Zilpah is rather naïve, as it means the basing of one hypothesis upon another. The ceremony of adoption by which Bilhah's children are acknowledged by Rachel as her own is no indication of the presence of matriarchy, as Bilhah was Rachel's hand-maid and her children rightly belong to the mistress. Laban's insistence upon his right to retain the wives and the children of Jacob as his own property does not remain unintelligible, even if we do not assume a type of *beena* marriage, of which this is supposed to be a remnant. Laban's claim must be viewed in the light of the laws relating to slavery in the so-called Book of the Covenant (Exod. 21. 2-4), which, on the whole, is evidently pre-Mosaic, as Johns and Jampel and others contend. Jacob sold himself twice to Laban, and the latter claimed that he gave his daughters as wives to his slave, and thus the wives and children rightly belong to him, if the slave goes out after his time of servitude expired, in accordance with the common Semitic law, while Jacob claimed, 'I served thee fourteen years for thy daughters' (31. 41), and that he married as a free man. Thus Laban's claim was merely a legal fiction. While, however, the evidence presented 'is in the main rather of a suggestive than convincing character', as the author admits, he might have mentioned a fact which is rather convincing. The words of Abraham to Abimelech: 'And yet indeed she is my sister; she is the daughter of my father, but not the daughter of my mother; and she became my wife' (Gen. 20. 12), leave scarcely any room for doubt that the real kinship was only through the mother.

Abraham could not have married Sarah if she had been the daughter of his mother, as the marriage of a real sister was not permitted among the Semites. The permission to marry a sister from the father's side may have been a survival from the period of matriarchy. This practice seems to have been so common that it could not be abolished by the Mosaic legislation, as seen from the story of Amnon and Tamar (2 Sam. 13. 13), unless we hold that the prohibition of Lev. 18. 9 dates from a later period, or assume with the Talmud that Tamar was David's step-daughter.

In Chapter II the author advances reasons that brought about the change from matriarchy to patriarchy. We do not believe in any of the views suggested. The problem is more simple than the author imagines. The system of matriarchy originally was due to the low moral standard of primitive peoples. No husband could with any probability claim the children of his wife as his own. Characteristic in this connexion is the Talmudic question: 'How can a man be executed for striking his father, since we have no guarantee that the culprit was the latter's son?' (*Hulin* 11^b). If we may believe the testimony of the Rabbis of the third century C.E., who were well acquainted with the Arabians and had no special reasons for any animosity against them, we may assume that the moral standard of the latter in the pre-Mohammedan period was decidedly low. The opinion of the Rabbis concerning the morality of the Arabians is illustrated in the following saying: 'Before giving the Law to Israel, God made attempts to give it to any of the other nations, but all of them declined as each found faults with some of its provisions. He went at least to the Ishmaelites. But they asked: What is written there? and the answer was: Thou shalt not commit adultery. Then they replied we have no use for this Law' (*Siphre*). The system of patriarchy was a natural consequence of a higher standard of morality. Hence it is quite in order that we should not find in the Code of Hammurabi any allusion to matriarchy.

Concerning the levirate marriage, discussed in Chapter III, the author ought to have shown more independence than to

repeat critical views which have not the least justification. As for instance, he observes: 'Leviticus seeks to destroy it altogether by forbidding marriages between persons closely related to each other. This of course precludes marriage with a brother's wife' (p. 62). But the author of P must certainly have known D, and the critics ought to have given him more credit for common sense than to believe that he plainly contradicted the legislation of the latter. The law of Leviticus of course refers to general cases when the brother left children and no levirate is necessary. The law of levirate is based upon that of Leviticus and forms an exceptional case when the brother dies childless. But it is more noteworthy that the Jewish practice of levirate does not quite conform to the law of Deuteronomy. The latter decrees that levirate takes place if the deceased brother leaves no male issue, while in the practice no levirate is permissible if there is female issue. But the Deuteronomical law, which is pre-Mosaic, is based upon the principle that only males can inherit. Since, however, the latter law was repealed, and women in default of male issue are recognized as heirs, it is plain that concerning levirate no distinction should be made between male and female issues.

In Chapter X, the author's remark: 'It is taken for granted that the year begins in the spring, and not in the fall, as in the pre-exilic period' (p. 162), is incorrect. There is not the least trace in the Old Testament that in pre-exilic times the year began in the fall, even if we assign with the critics all the Biblical dates reckoning from Nisan to post-exilic writers. In the pre-Mosaic period in Egypt the year evidently began in the fall, and this beginning of the year was preserved by oral tradition down to the present, as, notwithstanding Exod. 12. 1, the year begins in the fall with the month of Tishri. The Seleucid and the Ptolemaic periods may have largely contributed to the preservation of this non-Biblical reckoning. Another remark in Chapter XII: 'The distinction drawn by Ezekiel between priests and Levites was wholly unknown to Deuteronomy' (p. 201), is wrong. In the latter the priests are called Levites, but the Levites are nowhere

called priests (cf. 12. 12, 18, 19 ; 14. 27, 29 ; 15. 11, 13 ; 18. 6-9 ; 26. 11, 12, 13) just as every Pennsylvanian is an American, but not every American is a Pennsylvanian.

(19) Another archaeological monograph of importance for Hebrew and Semitic religious institutions which are considered from an anthropological point of view, and especially for the institution of the Sabbath, is H. Webster's book, *Rest Days*. The author takes the view that the great institutions of modern civilization have their roots in the beliefs and customs, and often in the superstitions, of savage and barbarian society, and that it is the task of social anthropology, by an impressive accumulation of evidence, to demonstrate the truth of this fact. Starting from this view, he makes a thorough inquiry into the rest days so commonly observed outside of the Semitic area in antiquity and later ages, which shed light on the Jewish Sabbath and the Christian Sunday, and on the assumed Babylonian prototype of these institutions. The custom of refraining from labour on certain occasions is not unknown to peoples in the lower stages of culture. A survey of the evidence indicates that such observances do not have a rationalistic basis, due to man's need of relaxation and idleness as a relief from daily toil, but have arisen chiefly, if not wholly, as pure superstitions, and are, in the last analysis, based primarily on fear. They find their clearest expression in the 'tabooes', or prohibitions, first noticed among the natives of the South Seas, but now known to exist in many other regions of the aboriginal world. A comparative study of the taboos indicates that originally things or persons were tabooed because they were considered dangerous, mysterious, abnormal, and uncanny, but the fact must be recognized that the majority of taboos are now supported by animistic beliefs of a much more precise character.

The book is divided into nine chapters, the first four of which deal with tabooed days at critical epochs, after a death and on

(19) *Rest Days. A Study in Early Law and Morality.* By HUTTON WEBSTER, Ph.D., Professor of Social Anthropology in the University of Nebraska. New York: THE MACMILLAN COMPANY, 1916. pp. xiv + 325.

related occasions, holy days, and market days. To indicate the numerous points of high interest in the material presented would lead us out of the way of Semitic archaeology, as for the most part they have merely an incidental bearing on Biblical or Semitic subjects. But there are also references to the latter. Noteworthy is the following remark: 'The Day of Atonement has been usually considered a very late institution, unknown in the time of Zachariah and even in the age of Nehemiah not employed for the special purpose of a national humiliation. What seems more probable is that the Day of Atonement was taken over and adopted into the Priestly Code of post-exilic Judaism from a popular and primitive sin-riddance, doubtless of high antiquity' (p. 82). Neither the critics nor the author seem to know that there is unimpeachable evidence that the Day of Atonement, notwithstanding the fast enjoined by the Law, was never observed as a day of national humiliation, and therefore could not have been mentioned by Zachariah among the fast-days nor could have been employed by Nehemiah for this special purpose. We have for this contention the good authority of Rabban Simeon, son of Gamaliel, who says: 'There never were Good Days in Israel like the fifteenth of Ab and the Day of Atonement, in which the daughters of Israel went out . . . and danced in the vineyards; and what did they say?: Youth, lift up thine eyes, and look whom thou art choosing for thyself, &c., &c.' (Ta'anith 26^b). The Day of Atonement is indeed still considered as a festival, in the ritual and in the practice. Just like any other festival, if it occurs within days of mourning, they need not be further observed after this festival. The author's further remark that this day 'appears to have marked, originally, the beginning of the new year', is likewise totally wrong. The reference to Ezek. 40. 1 shows that the author repeated the current misinterpretation of that passage. But a survey of the dates in this book leaves not the least room for doubt that *Rosh Hashanah* mentioned there is the designation of the first month Nisan, in accordance with Exod. 12. 2. That the tenth day of this month was of some special importance and therefore especially suitable for Divine inspiration

is seen in the same chapter, verse 3. Besides, the tenth day of this month is no exception, as all the visions of Ezekiel occurred either on the first, fifth, tenth, or fifteenth of the months. We may well imagine that we have here sacred numbers. Finally, the author's statement that New Year's Day 'was also a *shabbath shabbithōn*', is obviously an oversight, as it is merely called *shabbathon*. Only Sabbath and the Day of Atonement are designated *shabbath shabbathon*, on which complete rest is enjoined, not, however, the New Year's Day, on which the preparation of food is permitted.

Chapters V-IX deal with lunar superstitions and festivals, lunar calendars and the week, the Babylonian 'evil days', and the *Shabbatum*, the Hebrew Sabbath, and unlucky days. To the mass of evidence presented by the author, that the waxing moon was commonly regarded as favourable and the waning moon as unfavourable for the transactions of business of various sorts, we may add the fact that according to the *Shulhan Arukh* no marriages are to be performed at the time when the moon is on the wane. But this prohibition is in many countries disregarded. The statement, given on the authority of J. Buxtorf, that 'among the Jews there were formerly many who abstained from food on the day of an eclipse of the moon, which they regarded as evil' (p. 135), is hardly correct, as the *Shulhan Arukh* knows nothing about it. But it is true that the eclipse of the moon was regarded as an evil portent for Israel according to the Talmud: 'The eclipse of the sun is an evil portent to the gentiles, and the eclipse of the moon is an evil portent to Israel; for the former reckon by the sun and the latter by the moon' (Succah 29^a).

To the many solemn rites among various nations in connexion with the disappearance of the moon, which by the Babylonians was called 'day of sorrow', the author might have added the Jewish custom still observed by many pious Jews to fast on the day before the re-appearance of the moon, which as fast-day is called *Yom Kippūr Kālōn*, 'Little Day of Atonement'. The author obviously never heard of the general Jewish custom to recite prayers in the presence of the new moon, as a rule outside

of the synagogue, in the evenings between the seventh and fifteenth of the month, the performance of which is called 'the Sanctification of the Moon'. The knowledge of this fact has an important bearing on the problems discussed by the author.

In the treatment of the Babylonian and Hebrew sabbaths, the main object of the author is to prove that among both the Hebrews and the Babylonians the term *shabbath* was the technical expression for the fifteenth day as the time of the full moon. But, though holding that the Hebrew *shabbath* originally designated the full-moon day, he objects to the opinion that until the age of Ezekiel the Hebrews employed no weeks at all, and that continuous seven-days' weeks were introduced largely through Ezekiel's influence in post-exilic times, and hence that the sabbath as the last day of the periodic week was a post-exilic institution. He insists that the Hebrews employed seven-days' weeks perhaps several centuries preceding the exile; weeks, that is, which ended with special observances on the seventh day, but none the less tied to the moon's course. The change from such cycles to those unconnected with the lunation would not have involved so abrupt and sudden a departure from the previous system of time-reckoning as that from a bi-partite division of the lunar month to a week that ran continuously through the months and the years, as formerly held by scholars.

This book is certainly an excellent work, though there are points enough which provoke dissent. The subjects discussed are throughout highly interesting, their treatment is lucid, methodical, and could not be better, and it contains a vast amount of scholarship of diverse character. In the treatment of Biblical subjects the author's course might have been more smooth and his conclusions less forced if he had not been so exceedingly apprehensive lest his views might come into collision with the results of modern criticism. It is scarcely possible to maintain that the observances of sabbath and other Hebrew festivals have their roots in hoary antiquity and nevertheless still adhere to the opinion that they were post-exilic institutions. Whatever the meaning of Babylonian *shabātu* may be, that of this Hebrew

root 'to rest' is beyond any doubt. Then any day on which there is a cessation of labour may be called *shabbath*. Thus there is no reason to assert that the term *shabbath* was a special designation of the full-moon day. Jastrow's opinion, on which the author largely based his contention, that 'the morrow after the sabbath' (Lev. 23. 15) is here used not in its later sense of a seventh day of rest, but as a survival of the designation of the sabbath as the full-moon day, has scarcely any justification, as the identical passage distinctly states: 'Seven sabbaths shall be complete; even unto the morrow of the seventh sabbath shall ye number fifty days'. If the term *shabbath* designates only the full-moon day, how could it be applied to every seventh day on which the moon was not full? That the month itself was called after the new moon is no analogy to the latter case, as each period in which the moon is renewed may be called *Hōdesh*. If we disregard the view that Gen. 1 is post-exilic, there is no vestige of proof that the periodic week is not Mosaic or even pre-Mosaic, though originally it may have been connected with the lunation, as among the Babylonians.

Considering that the author especially refers to the Rabbinical works devoted to the provisions for sabbath observance, we were surprised to find a curious remark: 'The march of the Israelitish host around Jericho on seven successive days, one of which must have been the sabbath, if that institution as a weekly rest day was then known to them, would be a profanation of the sabbath according to later ideas. . . . But this account may contain a reminiscence of a period of Hebrew history when the week, either lunar or periodic, had not become established in Israel' (p. 256). We readily admit that the Rabbinic prohibition of blowing a trumpet on the sabbath, or the non-Pentateuchal prohibition of carrying a load on that day, were unknown to Joshua, and there was no other profanation of the sabbath, as far as we can see. The author ought not to have suggested so far-reaching a conclusion without consulting on those points the Rabbinic treatises which he referred to. Another remark that the length of a 'sabbath day's journey' had not been determined at the time of

Elisha or at that of the compiler of Kings (p. 251, 1) is gratuitous. The Rabbis themselves assert that it is not a Biblical provision.

(20) Another monograph which may be included among the works on Biblical archaeology is A. Smythe Palmer's book, *The Samson-Saga* (and its Place in Comparative Religion). The author's aim is to prove that the story which is told of Samson in the Book of Judges is to a large extent of legendary character, and contains many elements of popular tradition well known to the student of folk-lore. Though this fact had long been recognized by scholars, especially by Steinthal, they laboured under the serious disability of having taken the subject in hand at a time when much of the Babylonian and other evidence placed at our disposal by modern research was not yet available. But the author with his greater advantages brings further light on the subject, and attempts to turn mere guess-work into something like certainty. However, in endeavouring to substantiate the views of former scholars, the author does not deny the historicity of Samson. He observes: 'There is no reason to doubt that an historical personage bearing this name actually lived, and fought, and rioted in the fields of Palestine in an early period, and enjoyed a widespread reputation as a popular hero among the Israelites. His fame, handed down by tradition, was much altered and magnified by accretions of a mythical character which got attached to his memory.'

For the explanation of the origin of this legend, the author advances the suggestion that among the very ancient folk-stories which the Israelites found current among the Canaanites was one concerning a famous wonder-working brigand of superhuman strength, who, as we now discover, was ultimately a personification of the mighty Sun himself, and that the peculiar characteristics of this solar hero in process of time seem to have coalesced and crystallized around the figure of the popular free-lance and champion of the Hebrews. His name Samson or *Shimshon*

(20) *The Samson-Saga* (and its Place in Comparative Religion). By A. SMYTHE PALMER, D.D. London: SIR ISAAC PITMAN & SONS, LTD., 1913. pp. xii+267 and 3 illustrations.

naturally lends itself to the gathering around it of such mythical elements. The same thing has happened in various lands, and in various stages of civilization, down to quite recent times.

The author points out, as has been frequently done by other scholars, that the story of Samson is unique in the Bible record, standing out as a heterogeneous patch in the sober, prosaic history to which it has been very imperfectly assimilated. The Hebrews had a childhood, like every other people, which they outgrew, a period in their early history when they delighted in stories of adventure, and some traces of such early folk-tales have survived and been preserved in the literature of the Israelites. The story of Samson is a naturalized form on Canaanitish soil of an ancient solar legend which passed current in Babylonia many centuries earlier. Samson is the direct heir and representative among the Hebrews, as Heracles was among the Greeks, of the famous Sun-hero Gilgamesh. The author substantiates his suggestions by a vast number of illustrations out of the mythology, folk-lore, and poetry of the most diverse peoples, ancient and modern. These he regards as the staple of the book, which are adduced under the conviction that man everywhere and at all times formulates much the same ideas about the cosmic phenomena of nature, and often with the most striking resemblances of details.

The subject is treated in eighteen chapters. In the first chapter the author apologizes for venturing to handle the Scriptures in a spirit of critical investigation, and largely dwells on the strange episode of Samson. Chapter II shows the migration of folk-tales, the growth of legends around the figures of distinguished heroes, and solar ideas in mythologies. Chapter III describes popular heroes, solar names, and legendary elements. Chapters IV-VI deal with Samson's hair that represents the rays of the sun, his seven locks that represent the seven solar rays, and with the sun as a hero and judge. Chapters VII-XV illustrate Samson's actions as sun-hero, and XVI-XVIII discuss the meaning of *Manoah*, Samson's father, the mythological numbers in the story, and the figure of Gilgamesh. The book contains also an appendix, consisting of four chapters: Heroes Mytho-

logized, Heracles, the Greek Samson, Cuchulainn, the Celtic Samson, and Gautama and other sun-heroes.

Though the principal ideas of this book, the legendary character of Samson's personality and his career, and his prototype Gilgamesh, are by no means original, as the author himself repeatedly points out, we must nevertheless admit that the author has succeeded in producing a work that is full of absorbing interest from the beginning to the end. It is written in a popular vein, and the investigation of the material shows good sense and sound scholarship. The deductions are fairly reasonable, and there can scarcely be any weighty objections to the conclusions arrived at by the author. His assertion that 'even if some of the comparisons made should be only coincidences, the weight of the sum total of the converging and cumulative evidence will, I think, to a candid mind prove fairly conclusive', may be readily endorsed. If we see in Gilgamesh, who is doubtless an historical person, a sun-hero, the same may hold true of Samson. However, the very fact that the Gilgamesh legend represents a sun-myth is nothing but a mere assumption.

But whether the suggestions given in this book are true or not, there can be no doubt that the story of Samson, which is quite out of harmony with the Biblical conception of a hero and judge in Israel requires some explanation. Samson's conduct is more in accordance with that of a votary of Astarte than that of a Nazirite and a servant of JHVH. It has been rightly pointed out that his character as libertine is not in agreement with the annunciation of his birth by an angel from heaven. But man is determined by his environment. To understand Samson's character we must consider that of his people, the tribe of Dan, whose religious conceptions throughout the whole period of Israel's history were more Canaanite than Hebrew. Though nominally worshippers of JHVH, they were hardly better than idolators. The sanctuary of Dan may have differed very little from those of other Canaanite inhabitants. In its main features it may have been identical with the sanctuary of the former inhabitants of Laish, who seem to have been closely related to the Sidonians, which

may have been that of Astarte. Moreover, if we find under the corrupt kings of Judah the institution of *hierodouloi* (*Kadeshim* and *Kadeshōth*) connected with the Temple of Jerusalem, we may rest assured that such an institution was not wanting in the sanctuary of Dan. Among a people of such religious conceptions, fornication was far from being considered immoral. On the contrary, it was a holy rite, performed in the service of the goddess Astarte. Thus among his own people, Samson's licentious conduct was fully in harmony with his sacred character as a Nazirite. Considering the syncretic character of the JHVH religion of Samson's tribe, we well understand the belief that his birth was announced by an angel from heaven. From this point of view we need not accept Budde's view, as the author does, that the birth of Samson was the last part of the story to be written. The term *nazir*, 'consecrated', may actually be considered a synonym of *Kadesh*, which has the same meaning. The current translation of the latter term, 'Sodomite', is absolutely unwarranted. Both *Kadeshōth* and *Kadeshim* were dedicated to the service of Astarte, the former had intercourse with men and the latter with women. As a matter of fact, Astarte, as goddess of fertility, was not the goddess of unnatural lust. Thus Samson may have been a *Kadesh* of the Danite sanctuary, and his actions were in accordance with his priestly character. This story may have been written by the priests of this sanctuary, who of course considered his licentious conduct in the light of their religious conceptions. The Biblical compiler may not have understood them at all. These points have not been fully considered by any of the scholars who dealt with this subject.

(21) Of immense interest as an exhibition of ingenuity and originality is C. J. Ball's brief treatise, *Shumer and Shem*. Years ago when Jules Oppert and Joseph Halevy and their adherents had their famous quarrels over the existence of the Sumerians, they never imagined that there will come a time when the Semites

(21) *Shumer and Shem*. Some Philological Coincidences and Sequences. By C. J. BALL, D.Litt., Fellow of King's College, London (*The British Academy*). London: HUMPHREY MILFORD. pp. 35.

will not only be deprived of the honour of having been the inventors of the cuneiform script and language, but almost lose all credit for the development of their own various idioms. This is the intention of the author in the present thesis. After referring briefly to the indebtedness of the Semites to the culture of their Sumerian predecessors, the author observes: 'The evidence of language, however, though only partially available at present, seems to indicate certain affinities even more startling than any yet generally recognized, and to point to an intimate intercourse between the two races at a period long anterior to the fourth millennium B.C. Nay, if Semite and Sumerian were not originally one, as I sometimes incline to think, a comparison of the two languages, both from the material and the formal side, may suggest that as the Semitic nomads borrowed so many other elements of civilization from their predecessors in the plain of Shumer-Shinar, so they derived at least a very substantial portion of the stuff of articulate speech from the same mysterious source' (p. 1 f.). His principal aim is to demonstrate the fact that what we know of the Sumerian language throws considerable light upon the analysis and origin of Semitic roots, and even upon some of the principal formative elements of the Semitic verb and pronoun. He points to the biliteral stage which preceded that of triliteralism, and takes as examples the Semitic words for *father* and *mother*, which he derives from Sumerian ABBA and UM. He further demonstrates the affinity of Sumerian to Chinese, and other East Asiatic idioms. The latter precludes of course the assumption that the Sumerians borrowed these words from the Semites. A few examples will suffice to illustrate the author's method. Semitic *shaḫū*, 'to give drink', may be derived from Sum. NAG. *Shumu*, 'name', may be directly connected with NAM, SIM, 'to call'; *ēl*, god, may be compared with EL, 'bright'. The Semitic numerals III-IX are derived from Sumerian. The pronouns *shi*, *sha* correspond to Sum. NA, NE, NI. Interesting is the derivation of the Divine name JHVH: its etymon is to be recognized in the Sumerian I, IA, 'to be high, exalted', with addition of the Semitic case-ending *u*, thus *Jau*, 'the Lofty One'.

The author's theory is certainly original, but will scarcely find acceptance by Assyriologists. With the methods employed, the assumption of transition from *n* to a sibilant sound, throwing off initial and final consonant, the interchange of numerous consonants, and equation of many Sumerian values, there is nothing that an ingenious mind like that of the author could not prove. He evidently does not share the current conception that a large number of cuneiform values are directly derived from Semitic roots, as EL from *ellu*, 'bright, pure', RIK, from *rikkū*, 'incense', &c. According to his conception, the Semites on their entrance into the Euphrates Valley must have been in a very early stage of infancy, if they had to learn the expressions for *father* and *mother* from the Sumerians. But, as a matter of fact, the Sumerian general name for *father* is not AB but AD, and that for *mother* is not UM but DAGAL, if we may rely upon the Sumerian classic inscriptions. Sumerian UM = 'mother' is certainly a loan-word from the Semites, and perhaps also AB = *shibū*, 'old man'.

The relations between *Shumer* and *Shem* constitute indeed the fundamental problem of Hebrew Religion, History, and Archaeology, and its final solution will ultimately prove the downfall of the higher criticism, and vindicate the truth of the Hebrew traditions. Johns, in his book reviewed above (17), observes: 'But that a leader in the position to which tradition assigned Moses could perfectly well promulgate a code of laws as full and complete as the whole Mosaic law, even for a people in a primitive state of society in which *Israel is often supposed to have been at the Exodus is obvious*. He had only to avail himself of the knowledge of cuneiform, available at that time both in Canaan and in Egypt, and import copies of the Hammurabi Code from Babylonia, if they were not at hand where he then was. He could exercise his judgement what was suitable for his people, add what he chose, and reject what he disliked.' Certainly this is obvious, but we cannot expect that it should be perceived by those whose vision is obscured by the modern dogmatic bias.

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JEWISH MEDICINE¹

WE have here 112 small octavo pages chock full of interesting and—even when erroneous—instructive comment, upon the health legislation of the Pentateuch. The author bases himself upon translation—the Revised Version—and excludes from his purview all questions of higher criticism. The work is written from the viewpoint of modern science—especially that of the Military Health Officer. The angle of approach, however, is somewhat unusual, and this, as well as the author's general attitude, can perhaps best be shown by quotation from the preface:

‘This book is a product of the Great War. It had its origin in a broken-down village in Macedonia, when having to give a lecture on sanitation to the officers of his battalion, the author chanced to think of the plague of flies . . . recorded in . . . Exodus ; and as he read through the whole series of plagues with his mind fixed on the subject of his lecture, a new meaning seemed to light up these events. . . . The seed thus planted went on growing . . . in many bivouacs and villages . . . ripening to maturity in various camps in France. Again, but for the War the author could not have gained an insight into the problems and difficulties which have beset every army in the field, from the six hundred thousand footmen who followed Moses out of Egypt down to the expeditionary forces of the last few years. . . . Many readers will perhaps miss the word “taboo”. . . . It has been purposely omitted. . . . It would be futile to deny the cultus of taboo among many primitive tribes, and . . . to suppose that the primitive Israelites were entirely free from it. But the various “prohibitions” referred to in this book have not been set down to . . . taboo. . . . It has seemed preferable to say that Moses taught and prohibited by way of appeal to religious feelings. . . . No claim is made to originality in the assertion that Moses was the founder of Preventive Medicine. All that is new is the method of displaying wares

¹ *Biblical Studies. Moses, the Founder of Preventive Medicine.* By PERCIVAL WOOD, M.R.C.S., L.R.C.P., Capt. R.A.M.C. London: SOCIETY FOR PROMOTING CHRISTIAN KNOWLEDGE. New York: THE MACMILLAN COMPANY, 1920. pp. xi + 116.

that are as old as the hills, in comparison with modern experience. . . . There is no intention of denying the divine purpose that is stamped upon every line of the history of these old Israelites, . . . there is only an added interest in demonstrating how natural were the agencies through which that purpose was wrought. There is nothing to lose, but much to gain in every shred of evidence . . . to prove that this is not merely a story written for our learning, but that it tells of living realities, of men of flesh and blood who underwent the same hardships and faced the same problems that confront us to-day (and have especially confronted us during the last five years), and who in so large a measure anticipated our own modern attempts to find their solution.'

After a general 'Introductory' upon the principles and methods of sanitary science, the author discusses the plagues of Egypt. He finds a serial connexion among them, and points out how contamination of water and food, destruction of food supplies, spread of infection by flies and vermin, and similar calamities, can break down national health and spirit, and in the end destroy national power. While the discussion is in some respects more ingenious than convincing, the general lesson enforced—apart from its special application—is one of high importance; and the author is perhaps justified in finding some reminiscence of the events of Exodus, in the promise of Deuteronomy (7. 15) that obedience to the laws delivered by Moses will preserve Israel from 'the evil diseases of Egypt, which thou knowest', and maintain him in possession of the promised land. Less likely to command assent is the further suggestion that 'this long run of tragedies would present to [the] trained mind [of Moses] a great picture of cause and effect' in relation to the dangers of 'bad sanitation', and 'that the many edicts on these subjects which he gave out later, drew their first inspiration from these impressive object-lessons'.

When Captain Wood proceeds to the detailed study of 'the edicts of Moses' he treads upon firmer ground. While the later development and expansion of Mosaic ordinances is conceded, and in some places the work of the Rabbis is alluded to, the author deems it simpler to consider the Pentateuchal health legislation only, and as a whole. He finds evidence that much of it originated in the necessities of a large body of people on the march or encamped;

the principles thus established being later taken over for the government of permanent settlements. If, however, he is right in his analysis of the plagues, the escape of the inhabitants of Goshen would indicate an earlier origin for many of the sanitary regulations, which would then have been carried over from Goshen to the wilderness.

It is interesting to note that this new experiment in what may be termed 'institutional exegesis' leads to one result quite parallel with those of Judge Sulzberger in detecting beneath an apparently common phrase the existence of an office with very special functions. The 'clean person' (*ish tahor*) is seen to be a 'sanitary inspector' (e. g. Num. 19) charged with definite and important duties under the priests, who are the 'medical officers of health'. To the reviewer this seems more than probable and a further confirmation—if any be needed—of the value of the method of Biblical study inaugurated in '*Am Ha-Aretz*'.

The chapters on the control of infectious diseases form indeed the most important section of the book. It is clearly shown that the Biblical legislation for this purpose is far in advance of anything systematically attempted in modern states until less than 100 years ago.

Stress is laid upon the provisions not only for the isolation and quarantine of those having communicable disease, but also for the detention and frequent inspection of suspected 'contacts' and for the disinfection of both the sick and the 'contacts' before they could again mingle freely with the mass of the people. The rigorous disinfection of contaminated materials, and their destruction by fire when cleansing was insufficient, is also emphasized.

There is likewise a good chapter on 'Legislation on Hygiene', that is, the preservation of health, as contrasted with the mere restriction of communicable disease. Three points are taken up. 'I. Preservation of water and food. II. Disposal of decomposable material, which means prevention of flies and of contamination of food. III. Personal hygiene.' As to the first of these, Moses could provide only against macroscopic contamination, and this meant principally 'by dead bodies, animal and human'. Particular

emphasis is laid upon the rule that contaminated earthenware vessels must be broken, and that if any drink be contained therein, it is unclean. In this connexion also the author stresses 'the law when a man dieth in a tent . . . every open vessel which hath no covering bound upon it is unclean'. Food and drink thus exposed would quickly be contaminated by flies. But prevention of flies is also attempted in the strict provisions for the disposal of all sorts of decomposable refuse, even that resulting from the sacrifices; while the avoidance of latrines within the camp, the order for burying all excrement, and the covering with earth of the blood of slaughtered birds and animals, further provided against the multiplication of insect 'carriers' and against contamination of water supply.

The other subjects considered, including the cleanliness of person and habitation, the dietary laws, and the rite of circumcision (both of which last the author rates high as health measures) are studied with equal thoroughness.

Collating many scattered but related passages, and comparing the whole with modern sanitary regulations, the author reasonably infers that there are many gaps in our records. Extant data embody all the principles of sanitation known to modern science, 'soundly conceived and effectively applied'; but they also point to the existence of a more extensive code, 'both in the civil and military spheres, which had for its general object the preservation of the public health'. He concludes thus:

'Enough has been said to indicate that, scattered amongst the different sections of this code, there are many fragments which when gathered together point unmistakably to the existence of a fairly complete system of preventive medicine. It is indeed one of the most remarkable pieces of work ever accomplished, so remarkable that it is amazing, except for the reasons given in Chapter I,² that for thousands of years it should have been lost sight of. It was an anachronism and suffered the fate of anachronisms, for it was not understood. But we in these later days can better appraise the value of Moses' achievement. Having traced its genesis and development, it is possible for us to appreciate at their true worth the depth and breadth of the

² Being a separatist and religious ritual other nations refused to adopt it.

knowledge and the acuteness of the observation that could alone have produced such a result. It must have been uphill work for him all the way through, and, as has been shown before, there were failures at times. But his fundamental principles were so sound, as sound now as they were then, his laws so clear, his attention to detail so marked, and his spirit so undaunted to the end, that when there was failure, the blame should rather be laid at the door of the 'congregation'—surely the most unpromising material with which a zealous administrator ever had to deal. . . . The code of Hammurabi, about eight hundred years older than the Mosaic code, deals only with civil and criminal matters. There is no preventive medicine mentioned in it. Doubtless the Egyptians, for all their superstitions, had some rudiments of hygiene. Doubtless the diagnosis and treatment of disease and injury had been practised since the dawn of the human race, but preventive medicine, however unconsciously it was inaugurated, began with Moses.'

One cannot quarrel with the author's exaltation of Moses; but he underrates the 'congregation'. After all, no law, and especially no prohibitory law, can be enforced upon great bodies of men in defiance of public sentiment. Moses died after governing Israel but forty years—and Israel still lives, largely because of obedience to Mosaic law for nigh forty centuries. The laws of Moses and his predecessors, coadjutors and successors, in their sanitary as well as their moral and economic aspects, are thus additional evidence of the high state of intellectual civilization and spiritual development early attained by the nation whose constitution and statutes they became.

The table of Biblical passages referred to in the book and the comprehensive index materially enhance its value.

It is not a pleasant picture that Dr. Masterman^s draws of present sanitary—or rather insanitary—conditions in Palestine. The author points out that 'among the responsibilities which the new Government will have to undertake, none is more urgent

^s *Hygiene and Disease in Palestine in Modern and Biblical Times*. With two appendices. By E. W. G. MASTERMAN, M.D., F.R.C.S., D.P.H. With a Preface by ALEXANDER MACALISTER, M.D., F.R.S., Professor of Anatomy, University of Cambridge. London: PALESTINE EXPLORATION FUND. pp. xviii + 70.

than improved sanitation'. Professor Macalister, too, says in his preface: 'That the Holy land is still, as it was in the Biblical period, a hot-bed of many diseases, which have lost none of their virulence during the post-Biblical centuries of misrule, is not a matter of surprise to any one who knows the almost total absence of respect for hygienic precautions all through the latter portion of its history. But there is no reason to doubt that, given the enactment and enforcement of modern hygienic regulations, it might become one of the healthiest countries in the Eastern Mediterranean area.'

The book is divided into three parts. Part I, on Diseases of Modern Palestine and Syria, contains chapters on Race, Habit, and Food as bearing on Disease; Climate and Water Supply; the Common Diseases of Palestine and Syria; Ideas among the Natives regarding Disease; Conditions of Life and Health in Early Times. Part II, on Diseases of the Bible, treats of Hygiene in the Old Testament; Disease and Medicine in the Old Testament; Disease and Medicine in the New Testament. Part III consists of two appendices, one upon the water supply of Jerusalem, and the other giving a list of British medical establishments in the Holy Land. There is also a good bibliography and a special index of Biblical references.

In the first part, the author points out that practically all tropical and sub-tropical diseases are rife in Palestine. Most of these are parasitic in origin, and malaria probably works the greatest ravages. It may be remarked, however, that the work of Gorgas at Panama has shown that malaria is readily brought under control by comparatively simple measures that need not here be particularized, but which must be enforced with iron discipline. One may hope that the health administration of Palestine will at first be entrusted to the Medical Corps of the British Army, and later to an efficient Health Department with ample powers.

Typhoid fever is always endemic in Palestine, and at times occurs in epidemics. It is particularly fatal to Europeans. Typhus, typhoid, influenza and dengue, occur in epidemics. Plague has not appeared in Palestine in epidemic form since the

first third of the nineteenth century. Tuberculosis is on the increase. Leprosy is not a common disease but it infects all classes. Skin diseases and diseases of the eye are common. Infestation with intestinal parasites is very frequent.

It is, however, unnecessary to cite in full the list of potential and existent ills recorded in the book, some more or less peculiar to the country, others found in all lands. It is sufficient to note that most of them are preventable by strict and intelligent sanitary discipline; in other words by Mosaic methods.

Dr. Masterman's discussion of the diseases mentioned in the Bible is hampered by the lack of exact descriptions and definite equivalents for technical, or perhaps popular terms, that has been felt by all others dealing with the subject. One may, however, endorse the words of Professor Macalister: 'The short, popular, but comprehensive account of the Diseases of the Bible which we have here from the pen of Dr. Masterman (than whom no man knows the medical history of the country better) is a well-timed and most interesting contribution to knowledge, which will doubtless be read and valued by all who desire the latest and most trustworthy account of the identification of Palestinian Diseases'.

Less satisfactory is the chapter on 'Hygiene in the Old Testament'. The subject is dismissed in four pages, and its general tendency may perhaps be best characterized in the statement that Masterman and Wood see things exactly reversed. According to the former, the Mosaic hygienic code is largely a system of taboo, some of which has accidental sanitary value. The dietary laws, in especial, are a senseless conglomerate. Circumcision is barbarous and useless. Nevertheless, the author says: 'As a whole there can be no question but that these laws, by inculcating temperate and moral habits, by encouraging labor six days a week only, and by their great annual feasts which involved a thorough cleaning of the house, healthful pilgrimages and change of habit, did much to promote the vitality of the Hebrews. The survival and steady increase of this race, in spite of privations and persecutions and of continual loss by religious defection, is abundant proof that even the cumbersome legislation of Talmudic Judaism

is on the side of good health and long life. It is, however, the moral and religious teaching rather than the mere ritual laws that has made this people prosperous.'

The reviewer may add a word for himself, reiterating an oft-expressed conclusion. The hygienic legislation of Bible and Talmud most probably originated in what has been called by Captain Wood 'the religious motive', the essence of which was, and is, the preservation of 'holiness'; the essentials thereof being—and remaining—cleanliness, cleanliness, and cleanliness. The health-preserving value of cleanliness must soon have become evident, and its ritual was doubtless extended with deliberate sanitary motive. The requirement that every soldier should carry as part of his armament, a 'paddle', is not taboo. The destruction, or removal beyond the camp, of infected and decomposable materials, is not taboo. And if other regulations originated as taboos, it is at least to be remarked that on the whole, only such as experience has shown to be of distinct health value have been preserved and elaborated. That the scientific explanation of their effectiveness is not yet entirely clear, may be admitted without destroying the empiric proof. It was not until 1882 that science could demonstrate why Peruvian bark cures malaria, yet the healing power of the wood has existed since its appearance on earth. There are many other things in empiric medicine still unsolved; and if the value of the prohibition of blood, for instance, is not demonstrable to-day, we have at least inklings of it that may rise to demonstration in the near future. Meanwhile, Jews and others may benefit by the traditional rules of kashrut, even as the Countess of Chincon did by the Indians' traditional remedy for ague, without explanation. What is needed is enlargement of the *bedika* on modern scientific lines, and a somewhat stricter supervision.

DR. NEUBURGER⁴ has industriously and intelligently collated all the references to medical and allied topics in the extant

⁴ *Die Medizin im Flavius Josephus*. Von Dr. med. et phil. MAX NEUBURGER, O. O. Professor an der Universität in Wien. Bad Reichenhall: 'BUCHKUNST' DRUCK- UND VERLAGSGESELLSCHAFT m.b. H., 1919. pp. 74.

writings of Josephus and compared or contrasted these with the parallel passages in Bible or Talmud. While he points out verbal or material discrepancies between Josephus and the source-texts, he has no theory to propose or uphold; he has simply gathered and classified the material and put it in a form easy to understand and convenient for reference. There are two main divisions of the work, entitled respectively 'Medizinisches aus dem Zeitalter der Bibel' ('Parallelen und Divergenzen'), and 'Medizinisches aus der nachbiblischen Zeit'. The latter includes a brief but interesting excursus on the Essenes. The author adopts the etymology מְדִינָא for the title of the sect, and attributes to them serious study of the remedial properties of plants and minerals, as well as mystic practices and faith healing. There are many other interesting sections, among which may be cited those upon 'The Pathologic Tendencies of the Asmoneans and the Herodeans'; 'The Status of Pharmacologic Knowledge'; 'Magical Healing'; 'Medicinal Springs'; 'Mosaic Hygiene, personal, and social'; 'Psychotherapy'. Finally, there is a brief discussion of 'medical allusions in the writings of Josephus'—as, for example, his comparison of political disturbances with inflammations and fevers, and his likening of the spread of fanatical ideas to that of pestilence. Dr. Neuburger's style is clear and his language (for a German book, especially) remarkably simple. He has done a good and useful piece of work, for which he deserves many thanks.

SPINOZA ⁵ is shown by the author to have studied anatomy and physiology as well as optics, and to have been in many respects in advance of the time on these subjects. The influence of his physiological knowledge in leading him to oppose Descartes' theory of the localism of the soul in the pineal gland (to put it more crudely than accurately) and the part which his studies of Jewish sources—Mishna, Kabbala, and the Judeo-Arabic philosophers and physicians—took in the final shaping of his philosophy, are well brought out. Incidentally to a discussion of his relations

⁵ *Spinoza en de Genceskunde*. By MOZÈS HERMAN COHEN. Amsterdam: Bussy, 1920. pp. xi + 74.

with the English anatomist Glisson and with Leibnitz, the author seems to insist that Kabbalism, despite Spinoza's ridicule of Kabbalists, affected him profoundly, as did also Philo and the Neo-Platonists. It is interesting to note that Leibnitz addresses Spinoza as: *Médecin très célèbre et philosophe très profond à Amsterdam* (page 13).

The argument turns on the conception of the soul, and the relation of the human body to the spirit—it is thus, in a measure, biologic. Indeed, it is biology, not medicine, that interested Spinoza and forms the theme of this book.

The parallels between Maimonides and Spinoza show at least attentive reading by the latter, of the former.

Especially interesting is the account of seventeenth-century Jewish physicians in the Netherlands (pp. 37-51); with incidental criticism of the inadequacy of the *Jewish Encyclopaedia* on this and like topics. The author shows an excellent knowledge of the history of the Jews in the Netherlands, and his work is full of valuable allusions and references.

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SOME NOTES TO MAHZOR YANNAI

THE following notes are in the nature of *Addenda et Corrigenda* to my edition of Mahzor Yannai.* Together with my own notes, I deem it proper to take under consideration some of the suggestions and corrections of the various reviewers of this book, as well as suggestions received in private communications. The notes are arranged in the order of the passages which are affected by them.

P. xii, note 18 : For the expression רצפי ינאי comp. *Gen. R.*, chap. 7 : רצוף חבטך רצוף רצף where רצף has the meaning of רבר.

P. xvii : In regard to the Edict of Justinian against the study of 'Deuterosis', comp. now Krauss, *Studien zur byzantinisch-jüdischen Geschichte* (Vienna 1914), pp. 57-62.

Pp. xix-xx : As to the theory that the cryptic language of the Piyyutim was the result of persecution, I must admit that my language is in need of modification. In view of the objections raised by my reviewers¹ it seems to me much safer to assume with Zunz, that 'es gab damals, wie es im achten und neunten Jahrhundert ein künstliches Latein gab, einen einfachen und einen Kunststil, in Prosa wie in Poesie'.² This remark, which I as well as my critics overlooked, makes it unnecessary to stress the persecution theory too far.

* Mahzor Yannai. A liturgical work of the seventh century, edited from Genizah fragments, with notes and introduction by Israel Davidson, and additional notes by Louis Ginzberg. N.Y. 1919.

¹ Comp. Israel Abrahams in the *Jewish Guardian*, Jan. 2, 1920 ; also the communication of Professor Krauss, *ibid.*, March 26, and Dr. Abraham's reply, *ibid.*, April 2, as well as the note of A. Mishcon, *ibid.*, April 16. Comp. also I. Elbogen in *Zf.H.B.*, XXII, 50-52, and B. Halper in *מסקלט*, vol. I, No. 4, pp. 141-5.

² *Synagogue Poesie*, p. 119. Comp. also Harkavy, *יברון לראשונים*, v. p. 139, note 1.

Pp. xxi–xxiii: In connexion with the triennial cycle, reference should be made to Dr. Gaster's study, *The Biblical Lessons*, London, 1913. Whatever force there may be to his argument, that if the *Sedarim* stood in direct connexion with the public reading of the Torah in the Synagogue it is surprising that no graphic trace of such a division is found in any manuscripts of whatever age and place (p. 45), the Kerobot of Yannai are sufficient evidence to refute his oft-repeated statement that the *Sedarim* had no connexion whatsoever with the Liturgy (pp. 46, 54, 57, 73). The passage cited from שבלי הלקט likewise upsets his remark that no writer, excepting the author of the 'En Hakoreh', has identified this division with any liturgical purpose (pp. 53, 68, 72, 73). The close relationship of the *Sedarim* with the Liturgy is further confirmed by a series of eleven *Shib'atas*, preserved in the Bodleian MS. 2714, 6, which were expressly written for eleven corresponding *Sedarim* (Genesis, Nos. 20–30).³ Incidentally I may remark that the statement that 'no weekly lesson is known to begin in the middle of a section' (p. 44) meets with an exception in the weekly lesson ויחי. It is also not quite correct to say that it is rarely a סתומה which separates one weekly lesson from the other (p. 30), since there are 13 out of 53 (not counting ויחי just mentioned) which do.⁴

P. xxiv: Elbogen⁵ objects to my statement that Yannai's Kerobot were mainly halakic in character, because his *Shib'ata* for the New Year (Mahzor Yannai, p. 30) shows no trace of it. But perhaps this is one of the characteristic differences between a Kerobah and a *Shib'ata*, that the latter is haggadic while the former is halakic in character.

P. xxvii: The purpose of the חתימה is undoubtedly to comply with the talmudic dictum: כל הברכות צריך שיאמר מעין חתימתן סמוך (b. Pesahim 104 a). Ordinarily, this is complied with by such phrases as מלך עוזר ומושיע ומגן, or מלך ממית ומחיה and

³ In preparation for the *Schechter Studies*.

⁴ These are: ויצא, ויגש, וארא, בשלח, תצוה, ויקהל, פקודי, שמיני, בלק, ואתחנן, ראה, שופטים, תצא.

⁵ *l. c.*, pp. 51–2.

the like, but since the liturgic poems separate these phrases from the ends of their respective Benedictions, the חתימה is inserted in their stead. In making his 'conclusions' of three phrases each, Yannai perhaps followed the structure of the Eighteen Benedictions, most of which (4-16) consist of three clauses.⁶

P. xxviii: Further corroboration that ואתה קדוש אל נא was used as a rubric and that the insertion of the phrase יושב תהלות ישראל is a corruption of later times may be found in the fact that in the Kerobah of Kalir, published in the *Zunz Jubelschrift* (p. 202), there is likewise no word between ואתה קדוש and אל נא. The editor inserted dots as if to indicate 'an omission, but Firkowitz' copy of the MS, from which it was published, and which is now in the library of the Jewish Theological Seminary of America, shows no trace of any dots, or any omission.

P. xxxii, note 59: The opinion as to the authorship of אל נא לעולם תוערץ, cited here in the name of Rapoport, was already expressed some years previously by Luzzatto.⁷

P. xxxiv, l. 3: It should be stated here, that the sixth part of the Kerobah is usually headed by the word אחד.

P. xxxvii: The poem מתוהים דר אדיר occurs in מחזור רומניא (Const. 1574, fol. 70 b) as a Yozer.

P. xlvii: Read with Halper⁸ וגינת. Comp. also Judah Halevi's verse: ⁹ נבלי וכנורי בפי עמי גני ופרדסי ספריה.

HEBREW PART, p. 2, l. 5: Read וישפילו ראש מחלאה (Halper).

P. 5, l. 38: Read ובבוקר.

P. 6, l. 4: Halper suggests that זמם has the meaning of נידים, veins, and refers to the expression זמותי נתקו, which is rather a novel interpretation of Job 17. 11.

P. 8, l. 20: Brody suggests¹⁰ that the rhyme requires the reading of כאש צרבת במכה.

⁶ Comp. also *Jewish Enc.* XI. 278.

⁷ Comp. המגיד, V, 149.

⁸ *l.c.*, p. 145.

⁹ It is the last verse of the poem beginning איך אפחדה מאיש, which was erroneously ascribed to Samuel Ha-Nagid. Comp. Harkavy, זכרון לראשונים, I, p. 154.

¹⁰ In a private communication of March 9, 1920.

l. 22 : Read בעון בצעו הכהו מחץ פצעו (Brody).

P. 9, l. 34 : Read חֲשׁוּבִים כְּמִיתִים (Poznański)¹¹.

P. 15, l. 31 : Read דולף הוא צִינִים (Idem).

l. 36 : The rhyme requires that אִיווה be transferred from l. 36 b to 36 a. Read ליבם אִיווה, חסר, שאר אשר חסר (Idem).

P. 17, l. 61 b : Read יעופש (Brody).

P. 20, l. 22 : Read דמי ירושלים הדיח (Brody and Halper).

P. 22, l. 40 b : Read אות לטובה בניה מרובים (Brody).

P. 23, l. 4 b : Read בחובה ולא רשות (Idem).

P. 24, l. 14 : Read פתע גוע (Brody and Poznański). Brody justly remarks that the phrase הוא מת מצוה is an explanatory marginal note on the preceding phrase, which crept into the body of the text.

P. 27, l. 19 b : Read ועולות שְׁלָמִים, comp. p. 28, l. 25 (Brody).

P. 32, note 1 : Further proof of Rapoport's suggestion that this Kerobah was intended for the first day of Passover may be adduced from the fact that the first biblical verse cited is Exod. 12. 29, showing that the Kerobah was composed in connexion with the biblical lesson assigned for that day (see Mahzor Yannai, p. xxvi, § 1). The original heading of this Kerobah, therefore, undoubtedly read : קדושתא ויהי בחצי הלילה.

P. 35, note 16 : Comp. *Gen. R.*, chap. 50 : א"ר לוי אין הקב"ה דן את או"הע אלא בלילה בשעה שישנים מן העבירות ואינו דן את ישראל דן את או"הע אלא ביום בשעה שעסוקין במצות (Poznański). Comp. also the references in Theodor *ad loc.*

P. 37, l. 9 : On account of the rhyme read : ידך עשתה בבכורות תשע מכות (Brody).

P. 41, note 1 : The word דרמוש is not a synonym of שבעתא, but of רהוטה. It is the Greek δρόμος, meaning 'runner'. Comp. Zunz, *Syn. Poesie*, p. 69, and *Litg.*, p. 24, note 4 ; Brody and Albrecht, *שער השיר*, p. 19. It should also be noted here that the word לרמוש, which Wertheimer puts in the heading of this poem,

¹¹ Comp. המזרחי vol. II, Nos. 2-4 ; reprinted in העברי, vol. X, Nos. 9-10.

is according to a photograph of MS. 2708 r., from which he published it, nowhere to be found.

In conclusion I may state that through the suggestion of Dr. Brody of Prague, I came upon further liturgies of Yannai in the Oxford MS. Or. 2714⁵ (Heb. d. 41). This MS. contains a Kerobah for the Sabbath falling within the week of Passover and a *Shib'ata* for the same day. Of the Kerobah only the end of part VII and parts VIII and IX have been preserved. It also contains a Kerobah by Yannai for the second day of Passover, besides liturgies of Samuel, who is very likely identical with Samuel 'the third'. All of these are in preparation for the *Schechter Studies*.

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CORRECTION

To *JQR.* (N. S.) vol. XI, No. 3.
Page 381, line 13 from bottom and
„ 383, line 8 from top
for Braunschweig *read* Halberstadt

DS
101
J5
v.11

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